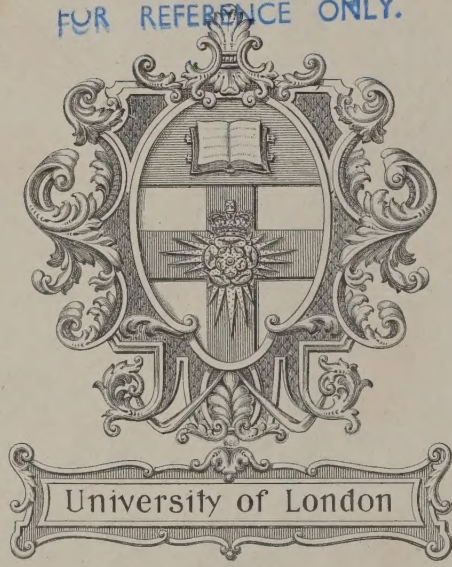


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ACCOUNTS AND PAPERS:

TWENTY-NINE VOLUMES.

-- (10.—PART II.) —

COLONEL OUTRAM.

PART II.

Session

3 February — 1 July 1852.

VOL. XXXVII.—PART II.

1852.



ACCOUNTS AND PAPERS:

1852.

TWENTY-NINE VOLUMES:—CONTENTS OF THE
TENTH VOLUME.—PART II.

N.B.—*THE* Figures at the beginning of the line, correspond with the N^o at the foot of each Paper; and the Figures at the end of the line, refer to the MS. Paging of the Volumes arranged for The House of Commons.

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560. Copies of Correspondence and Papers on the Subject of Colonel Outram's Removal from the Office of Resident at the Court of the Guicowar, or on the Subject of the alleged Corruption of Officers of the *Bombay* Government with Bribes from *Baroda* - - p. 1
-

COLONEL OUTRAM.

RETURN to an Order of the Honourable The House of Commons,
dated 4 June 1852;—*for*,

COPIES “of all CORRESPONDENCE and PAPERS on the Subject of Colonel
Outram’s REMOVAL from the Office of RESIDENT at the Court of the
GUICOWAR; or on the Subject of the alleged CORRUPTION of OFFICERS of
the Bombay Government with BRIBES from *Baroda*.”

East India House, }
29 June 1852. }

JAMES C. MELVILL.

(*Mr. Anstey.*)

(PART II.)

Ordered, by The House of Commons, to be Printed,
30 June 1852.

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PART II.

13.

Collection No. 3 of No. 91, Bombay Political Department,
Letter from, dated 3 December 1851.

BARODA,

Joetabhaee Setanee, Widow of the late Bechur Samuldass.

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— No. 1. —

Extract Bombay Political Consultation, 11 September 1850.

EXTRACT Para. 2 from a Letter from the Honourable the Court of Directors, dated 13 February, No. 4, of 1850.

Dispute in the family of the late Bechur Samul, head of the guaranteed firm of Hurry Bugtee.

2. THE question in dispute in this case was whether a son alleged to have been born to Joitabae, the second widow of the deceased, was genuine or supposititious; Joitabae having objected to the referees appointed by the Guicowar to investigate the case, and having refused to join in the appointment of a punchayet, we approve your resolution to decline interference in her behalf. We observe that no doubt is entertained by Captain French of the spuriousness of the alleged posthumous child.

— No. 2. —

No. 2,491 of 1850.—Political Department.

From *H. E. Goldsmid*, Esq. Secretary to Government, Bombay, to Lieutenant-Colonel *J. Outram*, c. b., Resident at Baroda.

Sir,

WITH reference to the correspondence noted in the margin,* relative to the dispute between the firm of Hurree Bhugtee and Joitabae, second widow of Bechur Bhaee Samuldass, I am directed by the Right honourable the Governor in Council to transmit for your information an extract para. 2 from a despatch from the Honourable the Court of Directors, dated the 13th February last.

I have, &c.

(signed) *H. E. Goldsmid*,
Secretary to Government.

Bombay Castle, 28 May 1850.

* From the Acting Resident at Baroda, dated 22d February 1849, No. 55.
Reply to, dated 21st May 1849, No. 2,163.
From the Acting Resident, dated 10th May 1849, No. 116.
Reply to, dated 18th June 1849, No. 2,540.
To the Acting Resident, dated 23d July 1849, No. 3,126.
From ditto, dated 21st July 1849, No. 199.
Reply to, dated 9th August 1849, No. 3,399.

— No. 3. —

Extract Bombay Political Consultation, 2 July 1850.

No. 5,290.

No. 118 of 1850.

From Lieutenant-Colonel *J. Outram*, C.B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

IN transmitting the accompanying petition to the address of the Right Political Department. honourable the Governor, a duplicate of which has been furnished to me, I have the honour to explain, that the same petition was received by me on the 22d ultimo, together with a letter requesting me to forward it to its destination.

Being then unaware of the Government notification of the 9th March last, promulgated during my absence, I returned the petition with a communication, of which copy is annexed; a copy of a letter which I received with the petition on this occasion is also appended, together with that of my reply of this date.

I have, &c.

(signed) *J. Outram*, Resident.

Baroda Residency, 8 June 1850.

No. 1.
No. 2.
No. 3.

(Original.)

PETITION from Joyetabae Setanee, one of the two Widows of the late Bechur Bhaee Samuldar, the last adult member of the Firm of Hurree Bhugtee of Baroda, Merchant.

To the Right honourable Lord Viscount *Falkland*, G.C.H., Governor and President in Council, Bombay,

Most respectfully sheweth,

THAT your petitioner has lately arrived in Bombay from Baroda, to seek to obtain redress in person, for the cruelty and oppression she has been subjected to from the time of her late husband's death, in the year 1845, till lately, from one Baba Naidia of Baroda, at present in charge of your petitioner's late husband's firm.

That your petitioner has in numerous petitions, already forwarded by herself as well as her mother to your Lordship in Council, as also to the British Resident at Baroda, detailed at length her numerous grievances, but lest some of the principal points might have escaped your Lordship's notice, she will detail them shortly, so as to recall them to your Lordship's recollection.

Bechur Bhaee Samuldass, your petitioner's late husband, when about 40 years of age, was married on the 4th day of March, 1839, to one Mahaluxumee, then about 11 or 12 years of age; and on the 23d day of April, in the same year, married your petitioner, also a child of the same age as Mahaluxumee.

In the year 1843, Mahaluxumee gave birth to a son, afterwards named Purshotum (still living), and shortly afterwards your petitioner conceived, but when about four months pregnant, she miscarried.

In the month of August 1845, Bechur Bhaee Samuldass became seriously indisposed, having for some years prior thereto been consumptive, and died on the 3d day of September following, leaving your petitioner enceinte by him; and your petitioner, on the 22d day of December following, gave birth to a son, who six weeks afterwards was duly named Motelall. That such child (as is usual with Hindoos) was born in the house of your petitioner's father, situated in the town of Baroda, but from the time of Bechur Bhaee Samuldass' death in September, as before stated, up to the day previous to the child's birth, your petitioner remained in her late husband's house, and occupied the same conjointly with the said Mahaluxumee and her child as a joint and undivided family.

That Bechur Bhaee Samuldass, shortly before his death, directed your petitioner and Mahaluxumee to conduct his extensive mercantile house, under the control of one Baba Naidia, his principal moonhim or clerk, your petitioner and Mahaluxumee to act as the managers thereof for the benefit of his heirs, the said Purshotum and your petitioner's child, then not born; but in the event of your petitioner having no child entitled to inherit, then for your petitioner to consider the said Purshotum as her child as well as that of Mahaluxumee, and the said child Purshotum was placed in your petitioner's lap to show her acquiescence in such arrangement, as is also usual amongst Hindoos so circumstanced as your petitioner then was.

That after your petitioner's confinement and restoration to health, she left her father's house, and returned again to that of her late husband Bechur Bhaee Samuldass, when Mahaluxumee received both your petitioner and her infant, without questioning or expressing any doubt whatever as to its legitimacy, and in proof thereof was a party agreeing to its betrothment with the daughter of one Nurotomdass Narrondass, which ceremony was

performed in the house of its late father, Bechur Bhace, and in the presence of several of the most influential merchants of Baroda; that the child, when about three months old, was afflicted with small-pox, when certain religious ceremonies were performed, and for a period of fully nine months afterwards your petitioner, with her said child, remained in the house of your petitioner's deceased husband, conjointly with Mahaluxmee and her son, but in consequence of your petitioner disagreeing with the said Baba Nafdia respecting the conduct of the late Bechur Bhace Samuldass' estate, in attempting to open the private treasury, dismissing clerks, and appointing persons who were hostile to your petitioners' interest, and so overbearing and obnoxious did his conduct become, that your petitioner was under the necessity of leaving her late husband's house, and taking refuge, together with her child, in that of her father, for about a week, when the said Baba Nafdia having apologised for his conduct, she returned once more to the house of her late husband.

That shortly after so returning, on the 11 Falgoon Sood (25th February 1847), whilst your petitioner was alone in her apartment, and her child with its attendants was from home, the said Baba Nafdia caused your petitioner to be suddenly arrested and confined a strict prisoner to her room, the child meanwhile being kept apart from her, and suffered to remain at its grandfather's house, where it was taken care of for a period of 23 days, when at night it was surreptitiously taken away by force by Baba Nafdia and a band of persons employed by him for the purpose.

From that period up to the month of April last year your petitioner was kept in close confinement, which was only mitigated by the interference, first of Colonel Outram, and subsequently Captain French, under orders from your Lordship's Government, as your petitioner has every reason to suppose, from the numerous applications forwarded to the Bombay Government by your petitioner and her mother.

That your petitioner was so confined a prisoner in her husband's house has been admitted by the parties who perpetrated that act of oppression towards her; that a child which had lived with her, and been duly acknowledged as the offspring of her late husband for a period of 15 months, by the widow Mahaluxmee herself, has been forcibly taken from your petitioner; that she has been dispossessed of jewellery and property by a subterfuge, and reduced to beggary; and although these facts and circumstances have been brought to the knowledge of the Bombay Government, still the only satisfaction offered to your petitioner hitherto has been to submit her causes of grievance to arbitration, notwithstanding her late husband enjoyed the special guarantee of the Bombay Government; and what appears most incomprehensible to your petitioner is, that the arbitrators or punchayet so suggested by the Bombay Government are the nominees of the very person against whom your petitioner prefers the serious charge of child-stealing, which your petitioner is informed and believes to be punishable by the criminal law of England, without the necessity of a punchayet at all.

Your petitioner implores your Lordship for justice; she solicits that right which the law of England gives to the meanest and poorest of its subjects, in order to protect it from the oppression which wealth and power would otherwise have, namely, a trial in open court, before a legally constituted authority who shall be responsible to your Lordship's Government for the manner in which the proceedings of such trial is conducted.

Your petitioner does object to submit the question of her child's birth, legitimacy, and welfare to any court consisting of mere nominees of the person against whom she prefers her charge, and the party whom your petitioner so accuses of stealing her child is Baba Nafdia and his accomplices, whose names your petitioner is ready to supply when required; your petitioner demands a fair trial of that fact, and that too to be conducted on the principles of a British court of justice, your petitioner to be allowed the assistance of either native or European advocates, or both if she so pleases. As for maintenance, or any minor questions of property, your petitioner has no objection to the same being referred to arbitration, one or two arbitrators appointed on each side, with some European to be specially named as president or umpire. Your petitioner refrains from expressing any opinion on what has been already communicated to her by your Lordship's Government, or that of his Highness the Guicowar; but although a poor destitute friendless female, her feelings as a mother and parent craves and demands the restoration of her child, and your petitioner now in person implores and seeks redress for the injuries she has sustained, and justice and punishment on those who took her child from her, and are responsible still for its welfare; and in the event of its death being satisfactorily proved, to be punished in such way as the law of England directs.

Your petitioner, in conclusion, begs to assure your Lordship in Council that were it in her power to obtain redress without applying to your Lordship, she would gladly do so; but from the difficulty she has already experienced in getting justice at Baroda, she now applies for it in person from your Lordship, and has for that purpose come to Bombay, where she will remain till your Lordship's pleasure is duly made known to her; and, in the meantime, your petitioner, as in duty bound, will ever pray.

Calbadavee Road, Bombay,
14 May 1850.

(signed) *Joyetabae Setanee.*

No. 1.

No. 285 of 1850.

Lieutenant-colonel Outram, Resident at Baroda, has received from Joiteebae Settanee, widow of the late Bechurbhaee Samuldass, a letter dated 14th instant, requesting him to forward to the Right honourable the Governor of Bombay an enclosed petition.

Why the unusual course of sending this petition from Bombay, through the Resident at Baroda, has been adopted, Lieutenant-colonel Outram is at a loss to understand; but as it appears that the Government of Bombay has declined to enter into the petitioner's case, unless under certain conditions which have not been complied with, the Resident at Baroda cannot render himself the channel for forwarding the petition to Government, and therefore returns it and its duplicate accompaniment.

(signed) *J. Outram,*
Resident.

Baroda Residency, 22 May 1850.

No. 2.

To Lieutenant-Colonel *J. Outram, C. B.,* Resident, Baroda.

Sir,

I BEG leave to acknowledge the receipt of your letter of the 22d instant, No. 285, returning the petition which I requested might be forwarded to the Right honourable the Governor in Council, and in reply to the first point noticed in your said letter, I have to solicit a reference to the Government notification, dated 9th March 1850, and published in the Government Gazette of the 14th idem, p. 286, a copy of which is subjoined, whereby Government have ordered petitions of the nature which I have prepared, to be submitted through the channel observed by me to its destination, and I therefore trust that under this explanation you will be pleased to comply with my request, for which purpose I beg to re-transmit the petition.

With reference to the second point, I respectfully request to be informed of the particulars of the conditions which I have not complied with, and in what respect I did not attend to them, more especially as I feel that as far as it was in my power I did not in the least disregard the instructions that were issued to me, but have every reason to believe that persons who professed to be my friends wilfully kept many facts concealed from my knowledge, and I should therefore esteem it a great favour to be furnished with a copy of any such conditions, and I hope to be able to prove to your satisfaction that I have as far as practicable complied with such orders.

I earnestly crave the favour of an early reply.

I remain, &c.

(signed)

Kalba Davee Road,
1 June 1850.

Joiteebae Settanee,
One of the Widows of the late Bechur Bhaee Samuldass.

No. 3.

No. , of 1850.—Political Department.

Lieutenant-colonel Outram, Resident at Baroda, has to acknowledge the receipt of a letter from Joiteebae Settanee, widow of the late Bechurbhaee Samuldass, dated 1st instant, transmitting a petition in original addressed to the Right honourable Viscount Falkland, with duplicate, the former of which I have this day forwarded to the Chief Secretary to Government.

Lieutenant-colonel Outram, in reply to the second para. of Joiteebae Settanee's letter, has the honour to inform her that the late Officiating Resident no doubt intimated to her and the other party in the dispute, as directed to do by Government, under date the 18th December last, that they should agree to a settlement by punchayet, each party appointing two members, and conjointly a fifth, or sir-punch, giving under the hand and seal a written agreement to abide by their decision.

Joiteebae Settanee having refused to consent to the arbitration of the dispute by a punchayet, the Officiating Resident was directed to inform her, under date the 21st May 1849, that Government declines to interfere further in her behalf.

(signed) *J. Outram,*
Resident.

Baroda Residency, 8 June 1850.

(True copies.)

(signed) *M. Battye,*
Assistant Resident.

— No. 4. —

No. 5,291.

MINUTE by the Right honourable the Governor, concurred in by the Honourable Mr. *Willoughby* and the Honourable Mr. *Blane*.

PETITIONER may be referred to the reply she has already received from the Resident at Baroda.

18 June 1850.

(signed) *Falkland*.
J. P. Willoughby.
D. A. Blane.

— No. 5. —

No. 3,020 of 1850.—Political Department.

No. 5,292.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to Lieutenant-colonel *J. Outram*, c.B., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 8th instant, No. 118, forwarding a petition from *Joetabae Setanee*, dated the 14th ultimo, and to request that you will refer the petitioner, who has been referred to you, to the reply she has already received from you on the subject thereof.

Bombay Castle, 24 June 1850.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

— No. 6. —

No. 3,021 of 1850.—Political Department.

No. 5,293.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to *Joteabae Setanee*, Widow of the late *Bechur Bhae Samuldass*.

IN reply to your petition dated the 14th ultimo, I am directed by the Right honourable the Governor in Council to refer you to the Resident at Baroda, to whom the instructions of Government on the subject have been communicated.

By Order, &c.

Bombay Castle, 24 June 1850.

(signed) *A. Malet*,
Chief Secretary.

— No. 7. —

Extract Bombay Political Consultations, 23 July 1850.

No. 135 of 1850.

No. 6,111.

From Lieutenant-colonel *J. Outram*, c.B., Resident at Baroda, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

Political Department.

IN continuation of my letter, dated 8th instant, No. 118, on the subject of the petition of *Settanee Joeta Bae*, one of the widows of the late *Bechur Bae Samuldass*, I have the honour to transmit for such consideration as the Right Honourable the Governor in Council may deem it worthy of, a further petition, in original, from that person, dated 18th instant.

2. As the voluminous correspondence on this subject, submitted by the late Acting Resident, is before Government, any remarks from me would be superfluous, beyond expressing my opinion that although it is possible, and I think very probable, that the petitioner has experienced foul play at the hands of that

notorious

notorious individual, Baba Nafra, the managing goomasta of the firm of Hurree Bhugtee, &c., I see no possibility of a dispute of this nature being adjusted, excepting through the medium of arbitrators, as suggested by Captain French.

I have, &c.

(signed) *J. Outram,*

Baroda Residency, 24 June 1850.

Resident.

To Colonel *J. Outram, c. b.*, Resident at Baroda.

Sir,

I HAVE been favoured with your letter of the 8th instant, No. 344, intimating that the original petition addressed by me to the Right Honourable the Governor in Council has been forwarded by you to the Chief Secretary to Government, for which I beg to return my grateful thanks.

With reference to the second and third paragraphs of your letter, wherein I am charged with having refused to consent to the arbitration of the dispute under allusion by a punchayet, as directed by Government, I feel it due to myself to trespass on your valuable time with the following brief explanation, which I earnestly trust you will maturely weigh in all its bearings, so as not to allow an injured and helpless widow, reduced to destitution, to be condemned unheard.

When my case was first referred through you to his Highness the Gaekwar, his Highness nominated certain individuals who were interested in the dispute to make inquiries therein, with a view to submit the case to you for investigation. These individuals obtained jubanees (oral statements) from all the parties concerned, and his Highness reported to you that the jubanee from my mother was required, the want of which had delayed the transmission of the case to you. My mother, who was then in Bombay, was accordingly ordered to repair to Baroda, and on her arrival you were pleased to direct, both verbally and by a written order dated 19th August 1848, that as the case was delayed for want of her jubanee, it should be furnished by her, to enable the whole case to be submitted to you, when you would hear and investigate whatever I might have further to say in the matter.

In compliance with your orders, my mother gave her jubanee* to the individuals above referred to, and I fully relied on the promise held out in your orders, that it would be tried in the residency and due redress afforded; I waited for the expected trial for a long time, yet such did not take place, nor am I aware that any call was or has ever been made from the residency for the case, although it was completed by the jubanee of my mother in the Darbar of the Gaekwar.

* *Vide accompanying copy.*

On Captain French taking charge of the agency, my agents waited on that gentleman, who informed them that he was going to make himself thoroughly acquainted with the whole proceedings, and would soon take the necessary steps in the case. I remained in expectation of the promised trial taking place in the residency, when after some days I was greatly surprised to receive the order to which you allude, directing that the dispute should be settled by arbitration. To this, however, I made a written application to his Highness, under date Maha Sood 4th, St. 1905, requesting that I might be informed of the names of arbitrators chosen by the other parties, and of the nature of the submission required from me, when I would choose my arbitrators, to which request I received no answer.

From the foregoing explanation you will doubtless perceive that after my mother's jubanee was taken, instead of the promised trial taking place in the residency, I was furnished with an order to refer the case to arbitration, thus reversing the original arrangement, and subjecting me to the perplexities which usually attend arbitrations;† and, moreover, when I consented to the arbitration, and desired to be informed of the names of the arbitrators of the other parties, and to be allowed time to choose mine, no notice was taken thereof, but an order was obtained from Government that my case should not be interfered with.

I respectfully solicit that you will examine my petitions, which are on the records of the Mahratta and Guzerattee duffur of your office, when you will doubtless be convinced of the truth of my assertions. It is true that in consenting to have the dispute submitted to arbitration, I desired in my petitions to the officiating Resident and the Gaekwar, that the arrangements might be made for the safe custody of the property of my late husband, which was in charge of Baba Nafra, who had practised the most unheard of oppressions towards me, lest he might find opportunities of making free with the same; and I also requested that provision might be made for my maintenance, &c., until the case was decided. These were not attended to, thereby putting it out of my power to comply with the orders of Government.

I beg to assure you that, as stated in my former letter to you, I did not disobey the orders of Government, so far as it was in my power to observe them; and I have only to

solicit

† See the case of Jumna Settanee, which, although decided by arbitration about two years ago, has not yet been settled.

solicit most earnestly that, after satisfying yourself of the facts stated by me, you will do me the favour to submit this, my explanation, to the Right honourable the Governor in Council for favourable consideration, supported by your kind recommendation that my case may be tried, for I have not disobeyed the orders of Government, as has been represented. I would also request that the opinion of the Company's law officers may be taken as to whether or not my case is deserving of a trial.

I remain, &c.

(signed)

Kalba Davee Road, Bombay,
18 June 1850.

Settanee Joeetabae,
One of the Widows of the late Bechur Bhaee Samuldass.

— No. 8. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane*.

MATTERS now in progress at Baroda will probably throw such light on Joeetabae's case that it can answer no good purpose to enter on its consideration at present.

12 July 1850.

Falkland.

D. A. Blane.

(True copy.)

Chief Secretary.

— No. 9. —

MINUTE by the Honourable Mr. *Willoughby*.

I AM informed that Baba Nafra is now under arrest, and that he has been detected in tampering with the Resident's native agent. We shall doubtless receive a report on this subject from Lieutenant-colonel Outram, and consideration of this case may be postponed until its receipt.

16 July 1850.

(signed) *J. P. Willoughby.*

(True copy.)

Chief Secretary.

— No. 10. —

No. 3,452 of 1850.

No. 6,114.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to Lieutenant-colonel *J. Outram*, c. b., Resident at Baroda.

Sir,

Political Department.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter (No. 135), dated the 24th ultimo, forwarding a petition from Joeetabae Setanee, of the 18th idem, affording certain explanations connected with her case.

2. In reply I am desired to state, that as his Lordship in Council is informed that Baba Nafra is under arrest, and has been detected in tampering with your native agent, his Lordship in Council will defer, until the receipt of your report on the subject, the consideration of Joeetabae's case.

I have, &c.

Bombay Castle,
19 July 1850.

(signed)

A. Malet,

Chief Secretary.

No. 3,476 of 1850.—Political Department.

From A. Malet, Esq., Chief Secretary to the Government of Bombay, to Setanee Mahaluxmee Baee, the Daughter-in-law to Hurree Bhugtee, Baroda.

I AM directed by the Right honourable the Governor in Council to acquaint you, that your petition, dated the 13th instant, has been received and referred to the Resident at Baroda, on the receipt of whose report the orders of Government will be communicated to you.

By order, &c.

Bombay Castle,
22 July 1850.

(signed) A. Malet,
Chief Secretary.

— No. 11. —

Extract Bombay Political Consultation, 30 July 1850.

PETITION from Bapoobhoy Shewurkram, Vakeel of Mahaluxumeboye, Widow of the late Bacherbhoy Samuldass Shettjee, Resident at Bombay, to A. Malet, Esq., Chief Secretary to Government, Bombay.

No. 6,356.

Sir,

As the vakeel in Bombay of Mahaluxumeboye, widow of Bacherbhoy Samuldass Shettjee, and manageress on behalf of her infant son Purshotumbhoy Bacherbhoy, of the firm of Hurry Bhugtee at Baroda, I beg to hand up to you a petition which I have just received from my mistress, Mahaluxumeboye, and to which I earnestly and respectfully crave the immediate attention of Government.

2. The extraordinary proceedings on the part of Colonel Outram, c. b., the Resident at Baroda, and the disgrace thus inflicted on the firm, which this petition details, will explain why it has been impossible to forward this appeal through the Resident, and will excuse, I trust, the request I respectfully prefer that Government will give this matter immediate attention.

Bombay, 10 July 1850.

I have, &c.

(signed)

Bapoobhoy Shewurkram, Vakeel of Mahaluxumeboye,
widow of the late Beeherbhoy Samuldass Shettjee,
Resident at Bombay.

No. 153, of 1850.

Persian Department, Bombay Castle,
15 July 1850.

SUBSTANCE of a MEMORANDUM from Maha Luximee Shethanee, Widow of the late Buchur-bhaee Samuldass, and her Son, Poorshotumbhaee, Heir of the Firm of Hurree Bhugtee, to the Right Honourable the Governor in Council, dated Jest Vud 10th (4 June).

COLONEL OUTRAM having imbibed unfriendly feelings towards us on account of the affairs of Govindrao Futtaysing, we are at present subjected to great oppression. Our goomashtas and other servants having joined with the Guicowar Sirkar, attempted to ruin our firm and household in every respect. On our coming to know of it, we represented to the Guicowar Sirkar that it was not proper for it to alienate our goomashtas and other servants, and thereby raise disputes in our house; that we were under the guarantee of the British Government, and would have ultimately to report the circumstance to the Sahib; whereupon the Guicowar Sirkar took the depositions of those parties, and having established their guilt, imprisoned them. In the meantime Colonel Outram returned here. Although this officer was unfriendly towards us, yet we sent him a message that we were desirous of waiting upon him. He sent us a plain negative that he would not receive us; we consequently became helpless. Lately the Colonel and Bhawoo Tambaykur, joined together, set at large those parties who had created differences in our house, and who were in consequence imprisoned by the Guicowar Sirkar, and instructed them to make out a false case, to the effect that they were acquainted with the affairs of Joyeteebaee. All at once a party of Shibundeas was despatched to our house by the Guicowar Sirkar and the Sahib, and our

Mookhtiar Mooneem was forcibly seized and carried away from our cutcherry. This moonem has been in our service from the time of the Shetjee, and is an old and respectable servant, entrusted by the Shetjee with the control and management of the affairs of the firm, and possesses a paper of Mookhtiarree, in the handwriting of the Shetjee himself, according to which, business has been regularly carried on. In consequence of his experience and endeavours to promote the prosperity of the firm, he has incurred enmity. His house has been attached, and is watched over by a party of 50 Shibundees; our firm has been likewise locked up and attached. The Resident intends to take by the hand these persons whom we got imprisoned as aforesaid, to cause them to fabricate matters and establish by means of his authority that the lawful son of Joitee Setannee was unjustly declared to be spurious. On this point we replied to every just question hitherto put to us, and will answer any such as may hereafter be asked of us. But we have no remedy against oppression. We shall submit, in a few days, for the information of your Lordship in Council, copies of depositions regarding the intrigues of the goomashtas and others. In short, we are subjected to unnecessary oppression, and have become helpless. We are Sahookars; our transactions involve lacs of rupees; we have outstanding debts of lacs of rupees; our debtors, with a view to evade payment of our dues, and others who do not receive any present from us, misrepresent matters as they like. To have made at once an attempt against our character without a due examination, was an act of extreme oppression. Our firm has been regularly carried on for nearly 75 years. From the foregoing act of oppression, it will go to ruin in a few days, and great blame will attach to the Honourable Company in consequence. If, therefore, Government adopt immediate steps to prevent unjust oppression being exercised towards us through enmity, our firm may stand for some time; otherwise we cannot divine what may become of it. We are prepared to present ourselves at Bombay, and to adduce personally before Government witnesses, documentary proofs, books, and whatever other evidence may be required in refutation of any charge we may be suspected of. But it is not proper to disgrace us, and ruin all at once a firm of long standing. If Government allow this in the face of their own guarantee to us, it is our misfortune. We beg your Lordship in Council will be pleased to issue positive instructions to the Resident, to prevent forthwith the oppressions complained of, and afford us assurances of protection.

(signed) *A. Malet,*
Chief Secretary.

— No. 12. —

MINUTE by the Right honourable the Governor, concurred in by the Board.

THIS petition should be forwarded to Lieutenant-colonel Outram, for his immediate attention.

19 July 1850.

(signed) *Falkland.*
J. P. Willoughby.
D. A. Blane.

(True copy.)

Chief Secretary.

— No. 13. —

No. 3,530 of 1850.—Political Department.

No. 6,358.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to
Lieutenant-colonel *J. Outram*, c.b., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit, for your immediate attention, translation of a memorandum from Maha Luxumee Shethanee, widow of Bachurbhaee Samuldass, dated the 4th ultimo.

Bombay Castle,
24 July 1850.

I have, &c.
(signed) *A. Malet,*
Chief Secretary.

— No. 14. —

No. 158 of 1850.

From Lieutenant-colonel *J. Outram*, c. B., Resident, Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay. No. 6,346.

Sir,

I HAVE the honour to inform you, that the managing goomashta of the firm of Hurree Bhugtee, Baba Nafra, having been arrested by the Durbar on the 3d instant, at my requisition, is now undergoing an investigation on charges of the abduction and murder of the child of Joitabae Setanee, who had so frequently petitioned Government on the subject. Political Department.

2. Proofs of the abduction of the child have been brought unexpectedly before me, and grounds for suspecting its murder, of so strong a nature as to warrant my calling upon the Durbar to place the accused party under restraint, pending the inquiry which is now proceeding.

3. As the fact of the abduction of the child is now fully established, (the cause and manner of its death is still under investigation,) I think it would be advisable to intimate the fact to Joitabae, (who with her father and mother is now in Bombay,) with a recommendation that she should return to Baroda as early as practicable.

4. I shall hereafter have the honour to report fully my proceedings in this case.

Baroda Residency,
11 July 1850.

I have, &c.
(signed) *J. Outram*,
Resident.

— No. 15. —

MINUTE by the Right honourable the Governor, concurred in by the Board.

As Joitabae is in Bombay, the intimation suggested in the 3d para. of this letter may be made to her through the Persian Department.

Colonel Outram should be informed that, with reference to the suspicions which Joitabae's conduct in declining the method of inquiry approved by Government gave rise to, we rely on him for the good treatment of the parties concerned, pending any investigations that may take place.

19 July 1850.

(signed) *Falkland*.
J. P. Willoughby.
D. A. Blane.

(True copy.)

Chief Secretary.

— No. 16. —

No. 3,586 of 1850.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c. B., Resident at Baroda. No. 6,348.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 158, dated the 11th instant, relative to the case of Joitabae Setanee, and to acquaint you that the intimation suggested in the third paragraph thereof has been made to her through the Persian Department.

2. With reference to the suspicions which Joitabae's conduct in declining the method of inquiry approved by Government gave rise to, I am desired to
560. 5 F 2 state

state that his Lordship in Council relies on you for the good treatment of the parties pending any investigations that may take place.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 29 July 1850.

— No. 17. —

No. 6,349.

No. 3,587, of 1850.

(Immediate.)

RESOLUTION of Government in the Political Department.

WITH reference to the letter from this department, No. 3,021, dated the 24th ultimo, to the address of Joitabae Setanee; ordered, that copy of a letter, No. 158, dated the 11th instant, from the Resident at Baroda, be transferred to the Persian Department, that the intimation suggested in the third paragraph thereof may thence be made to that lady without delay.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 29 July 1850.

— No. 18. —

Extract Bombay Political Consultation, 6 August 1850.

No. 6,449.

PETITION from Settanee Joyeetabae, one of the Widows of the late Bachurbhoy Samuldass, of the Firm of Hurry Bhugtee, at Baroda, to the Right honourable Viscount *Falkland*, President and Governor in Council, Bombay.

Most respectfully sheweth,

THAT your petitioner has been favoured with a letter in the Guzerattee language, from Mr. Erskine, deputy secretary to Government in the Persian Department, dated the 29th instant, directing her to repair to Baroda, in consequence of the investigations commenced by the Resident into the case connected with the abduction or murder of her child by Baba Nafra, a carkoon of her late husband.

That your petitioner begs leave to represent, that, owing to the port being closed, she has made preparations, and intends leaving this place within a few days, and proceeding overland to Baroda, which is the only means left for her at this season of the year to reach her destination.

That it must be well known to your honourable Board that the roads from hence to Baroda are difficult, and the journey tedious and sometimes unsafe during the rains; and as your petitioner is a woman, and will only be accompanied by her old father and mother, and two or three servants on her way, she is led to think that this company would not prove a sufficient safeguard, and that some other arrangement is necessary for her protection and safety on the march, more especially as she is surrounded with inveterate enemies, who have oppressed and injured her all this while, and who may not scruple to make an attempt on her life even, if they meet with an opportunity of so doing.

That, under these circumstances, your petitioner begs respectfully to solicit as a special favour, that your Lordship in Council will be pleased to allow the assistance of four or more armed Ranwossees from the police establishment, for her protection until she reaches Baroda, the charges whereof will be liquidated by her on arrival at that station.

And your petitioner, as in duty bound, shall ever pray.

Bombay, 31 July 1850.

(signed) _____.

— No. 19. —

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane*.

I do not think it either necessary or expedient to comply with this request, the object of which is probably to make it appear that she returns to Baroda under the countenance and support of Government. The applicant can of course make arrangements for an escort for her protection, should she deem the precaution necessary.

31 July 1850.

(signed) *J. P. Willoughby.*
D. A. Blane.

(True copy.)

Chief Secretary.

— No. 20. —

No. 3,638 of 1850.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Settanee Joyeetabae, Widow of the late Bachurbaee Samuldass.

No. 6,451.

IN reply to your petition of yesterday's date, soliciting that you may be allowed the assistance of four or more armed men from the police establishment for your protection during your journey hence to Baroda, I am directed to inform you that the Right honourable the Governor in Council cannot comply with your request.

2. I am, however, desired to state, that you can make any arrangements you may think proper for an escort for your protection, should you deem such precaution necessary.

By order, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 1 August 1850.

No. 3,639 of 1850.

COPY of the above letter to be sent to the Resident at Baroda, for information.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 1 August 1850.

— No. 21. —

PETITION from Motee Hurruckchund, Uttasoombhakur, to the Right honourable the Lord Viscount *Falkland*, Governor and President in Council, Bombay.

No. 6,534.

Most respectfully sheweth,

THAT your petitioner humbly begs to bring to your notice that Soorujram, who is at present the native agent under the Resident at Baroda, being his old friend, your petitioner went to see him, when he told him that some charges at present have been brought against Baba Nafuday, Nisbut Hurree Bugtee; he (your petitioner) therefore should go to him, and ask him for 25,000 rupees. As Baba Nafuday is in want of getting his business settled, he would consent to his proposal. The native agent also told him (your petitioner) that out of 25,000 he would take 20,000 for him, and the rest he would pay your petitioner. On this your petitioner, going to Baba Nafuday, made him to consent to his proposal, and he (Baba Nafuday) told your petitioner, that before the charges were brought against him, Baba Fudkay asked him to pay him 10,000 rupees, and told that he would support him; but as he (Baba Nafuday) did not consent to his proposal, Baba Fudkay was the cause of the charges. Afterwards your petitioner received from Baba Nafuday 10,000 rupees in part payment; and while

he was, according to promise, taking the sum to the native agent, he was on the road, in the camp, caught by swars and puttawalles, and they took him to the Resident, who asked him as follows: "What is this?" "These are rupees," he said in reply, because he thought that the Resident was aware of the sum. "Where are you taking them?" He told him he is taking them to the native agent, who sent him to bring the same from Baba Nafuday. Your petitioner afterwards was sent to the Guicowar, who has put him in guard; your petitioner therefore humbly begs to say, that though your petitioner told the Resident what was true, yet he has only been confined; and the native agent, through whose advice he did this act, was not suspended, and has been discharging the public duties as before; for which your petitioner is very much surprised. On taking this case into consideration, your Lordship will easily perceive, that had not the native agent conversed with your petitioner on the subject previously, how could he (your petitioner, one of the commonest ruyuts) be able at once to take 10,000 rupees to the native agent? and in the second place, if the native agent were not aware of this, how could he place the swars and puttawallas to seize him only on the road, and not any other passengers? From these circumstances your Lordship will perceive it was true that a conversation must have taken place on the subject previously between him and the native agent; but your petitioner thinks that the native agent might have thought that by doing so he would be considered a disinterested and just servant of Government.

Further, your petitioner begs to acquaint your Lordship in Council, that this person (the native agent) has repeatedly received sums from your petitioner at Satra and Ahmedabad. Your Lordship in Council will be graciously pleased to release him from the confinement; and if he be assured of his being secured, and if the native agent be suspended, he is ready to prove all such acts of the native agent which have already taken place. If the Government wish to save their servant and expose your poor petitioner to death, he is without any help. As the British Government is well known for its being just and impartial, your petitioner most humbly begs your honourable Board will be graciously pleased to take his case into your mature consideration, and enable him to obtain redress.

And your petitioner, as in duty bound, shall ever pray,

(signed)

Baroda, 15 July 1850.

Hurgovind Hurruckhund,
for his Brother Motee Hurruckhund.

— No. 22. —

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane*.

THIS petition may be sent in original to the Resident at Baroda, for any consideration it may require pending the disposal of the case alluded to.

30 July 1850.

(signed) *J. P. Willoughby.*
D. A. Blane.

(True copy.)

Chief Secretary.

— No. 23. —

No. 3,679 of 1850.—Political Department.

No. 6,536. From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *Outram*, C. B., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you, in original, a petition from Hurgovind Hurruckhund, on the behalf of his brother Motee Hurruckhund, dated the 15th ultimo, for any consideration it may require pending the disposal of the case to which it refers.

Bombay Castle,
2 Aug. 1850.

I have, &c.
(signed) *A. Malet,*
Chief Secretary.

— No. 24. —

Extract Bombay Political Consultation, 20 August 1850.

No. 180 of 1850.—Political Department.

From Lieutenant-colonel *J. Outram*, C. B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

No. 6,778.

Sir,

I HAVE the honour to acknowledge the receipt, this day, of your letter, dated 24th instant, No. 3,530, transmitting, for my immediate attention, translation of a memorandum purporting to be from Maha Luxmee Shetanee, widow of Bechurbhaee Samuldass.

2. In reply, I beg leave to observe that the statements in that memorandum are so entirely opposed to facts, and also to the representations contained in a petition from the Shetanee, presented to his Highness on the 18th instant, only 14 days subsequent to the date of the memorandum (erroneously dated 4th June, instead of 4th July), copy and translation of which is annexed, that I have reason to suspect that her name has been unauthorizedly used, and that Baba Nafra himself is the author of the document. I beg, therefore, you will do me the favour to send the original memorandum, that I may ascertain the fact.

3. With reference to the petition to his Highness now forwarded, I take this opportunity to make known to the Right honourable the Governor in Council, that the Shetanee wished to petition me to the same effect; but I replied that I would have nothing to do with any arrangements they might choose to enter into for the future management of the firm, as I had little doubt the bhandey of the British Government, which it had heretofore enjoyed, would now be withdrawn, in accordance with the intimation lately made to the holders of our guarantee, that any misconduct on their part would cause the forfeiture of the bhandey.

I have, &c.
(signed) *J. Outram*,
Resident.

Baroda Residency, 31 July 1850.

TRANSLATE of a Copy of a Yad from Purshotum Bhaee Bechur Bhaee, Heir of the Firm of Hurree Bhugtee, to the Address of his Highness the Guikwar, dated Ashae Shood 9th, 1906 (17 July 1850).

It has come to my notice that Baba Nafra, the principal manager of our firm, has been in the habit of giving money to certain people, and has been squandering our capital. It was our intention to bring this subject to the notice of the Durbar. In the meantime the books of our firm were sent by the Durbar to the Residency, and, from the inquiry which has there been instituted, it appears that there are several items in the chopras which are not properly accounted for. This having been satisfactorily proved, and brought to my knowledge, I beg to inform your Highness that the keeping of such a man as Baba Nafra in our employ would be highly detrimental to our firm. I have therefore discharged him, and now request that your Highness will have the goodness to arrange for the carrying on of the business of the firm, that our character may not suffer. Knowing that your Highness's Durbar are our only protectors, I have been induced to make the request. On the death of my father, Bechur Bhaee, he made over my mother and the firm to the protection of the Durbar, and I therefore request that assistance may be now afforded to us.

(signed) In the name of Purshotum Bhaee Bechurbhaee,
By writer *Wuzzoobhaee*, at the request of
Shetanee Bhaee Luxmeebaee.

(True translation.)

(signed) *M. Battye*,
Assistant Resident.

To *A. Malet*, Esq., Chief Secretary to Government.

Sir,

I **BEG** leave to report, for the information of the Right honourable the Governor in Council, my departure this day from hence, *en route* to Baroda.

I remain, &c.

(signed)

Settance Joyetabae, one of the Widows
of the late Bachurbae Samuldass.

Bombay, 6 August 1850.

— No. 25. —

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane*.

THE original memorandum should be forwarded to Colonel Outram, to be returned with his report on the subject.

(signed) *J. P. Willoughby.*
D. A. Blane.

12 August 1850.

(True copy.)

Chief Secretary.

— No. 26. —

No. 3,838 of 1850.—Political Department.

No. 6,780.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to
Lieutenant-colonel *Outram*, c. b., Resident at Baroda.

Sir,

I **AM** directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 180, dated the 31st ultimo, and to transmit the original memorandum therein referred to, with a request that you will return it with your report on the subject.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 17 August 1850.

— No. 27. —

No. 6,844.

PETITION from Shaitanee Mahaluxum Baee, the Daughter-in-Law to Hurree Bhuctee, Inhabitant of Baroda, to the Right honourable the Governor in Council.

Most respectfully sheweth,

THAT your petitioner most humbly begs to represent that her firm being under the protection of Government for a long period, the business of her commercial speculation was regularly carried on, and therefore she has been hitherto spending her days in peace and comfort: but Lulloo Waida, the agent of the firm, who owed a certain sum of money to your petitioner, and who being a man of a bad conduct, was sued before his Highness the Gaikwar by your petitioner; whereupon he was examined in the court of his Highness, found guilty, and committed to prison. Intermediately Baba Phudkey was strongly recommended to Government by the Resident of Baroda, and of this special favour he (Baba Phudkey) took the advantage, and demanded 10,000 rupees from your petitioner's agent, promising him to render every assistance as soon as Government would sanction the application of the Resident. But with all his influence and presumption, Baba Phudkey is a person of a very disgraceful character, and his proceedings are generally very fraudulent; he endeavours to persuade the citizens by his artful way of misleading others, and accumulates round sums in shape of a bribe. Considering all the above-mentioned circumstances, your petitioner's agent did not believe his assertions, which created hatred in his mind,

mind, and he therefore openly sent a message to her agent, intimating that he would soon take such measures that might ruin your petitioner's family.

Your petitioner most humbly craves the liberty of communicating that an unlimited influence of the above cheat (Baba Phudkey) has been the sole cause of the total destruction of her interests; because the Resident having summoned her agent from the custody, sequestered his household property, together with his banks. In addition to this, the Resident caused to be brought before himself the account books, with several agents, of your petitioner. Hence she has been labouring under an intolerable oppression and tyranny through the said self-conceited adviser.

Under these circumstances, your petitioner hopes that your Lordship in Council, after taking into a mature consideration the above statements, will kindly take such early steps as to relieve her from the most disagreeable calamity in which she has been unreasonably involved, and a grant of this boon will exceedingly oblige your petitioner.

Your petitioner, as in duty bound, will ever pray.

Baroda, 13 July 1850.

(signed) _____.

No. 3,475 of 1850.—Political Department.

Document to whom sent.	For what Purpose.
Resident at Baroda - - -	For report.
By order, &c.	
Bombay Castle, 22 July 1850.	(signed) <i>A. Malet</i> , Chief Secretary.

— No. 28. —

No. 176 of 1850.—Political Department.

REPORT by the Resident at Baroda.

No. 6,845.

THE proceedings against Moonim Baba Nafra, of the firm of Hurry Bhugtee, referred to in this petition, will be reported in due course. All that is now necessary to notice in this petition is the allusion to Baba Fudkey, as having been the instigator of those proceedings, and other insinuations against that individual.

As to the proceedings against Baba Nafra, they have arisen out of circumstances in which Baba Fudkey has no concern. The latter person has not once been admitted to the residency, nor have I had any personal communication with him since my return to Baroda.

I have no occasion to notice the asserted communications between Baba Fudkey and the petitioner's agent. The animus which prompts these insinuations against Baba Furkey may however be traced to the inimical proceedings of Baba Nafra against him, exposed in my late report regarding Baba Furkey, dated 22d ultimo, No. 131.

Baroda Residency,
29 July 1850.

(signed) *J. Outram*,
Resident.

— No. 29. —

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane*.

No. 6,846

PETITIONER may be referred to the Resident at Baroda for a reply.

14 August 1850.

(signed) *J. P. Willoughby*,
D. A. Blane.

— No. 30. —

No. 3,867 of 1850.—Political Department.

No. 6,847. From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-Colonel *J. Outram*, Resident at Baroda.

Sir,

WITH reference to your report, No. 176, dated the 29th ultimo, on the petition from Shetanee Mahaluxmee Bae, dated the 13th idem, I am directed by the Right honourable the Governor in Council to inform you that the petitioner has been referred to you for a reply.

Bombay Castle,
17 August 1850.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

— No. 31. —

No. 3,868 of 1850.—Political Department.

No. 6,848. From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Shetanee Mahaluxmee Bae, Baroda.

I AM directed to refer you to the Resident of Baroda for a reply to your petition, dated the 20th ultimo.

Bombay Castle,
17 August 1850.

By order, &c.
(signed) *A. Malet*,
Chief Secretary.

— No. 32. —

Extract Bombay Political Consultation, 27 August 1850.

No. 159 of 1850.—Political Department.

No. 7,086. From Lieutenant-Colonel *J. Outram*, c. B. Resident Baroda, to *A. Malet*, Esq., Chief Secretary to Government Bombay.

Sir,

I HAVE the honour to hand up, for the information of the Right Honourable the Governor in Council, translations of depositions, numbered 1 to 7, relating to an attempt made by Baba Nafra, the managing goomasta of the firm of Hurry Bhugtee, to corrupt Soorujram Gungaram, my lately appointed native agent, by means of a bribe of 20,000 rupees, of which sum 9,300 rupees having been brought into camp (where the native agent resides), were there seized, together with the agent employed by Baba Nafra, Motee Heerachund of Atter-soomba, now residing in Baroda.

2. On being brought before me, Mootee Heerachund at once confessed to having been deputed by Baba Nafra to deliver 10,000 rupees to Soorujram, and that the amount entrusted to him was 15,000 rupees, of which 5,000 were for himself as go-between, which he had left at home, and that 10,000 rupees more were to be afterwards sent to Soorujram.

3. On counting the money, 9,300 rupees were found in the bags brought in the cart. Mottee Hereachund being questioned regarding the deficiency, admitted there might be 5,500 rupees in the bags left at his house, which he had not examined. On a requisition to his Highness, sepoy were sent with a carkoon from the Residency to Heerachund's house, where the bags were found, containing 5,549 rupees, which, as the house is situated within his Highness's jurisdiction, were made over to the Durbar; as were also the parties concerned in the transaction, Motteechund, Mahsook Trebowan, and Aobajee Succaram, (after their examination had been taken at the residency,) to be held in custody until the orders of the Right honourable the Governor in Council regarding them are received.

4. I beg

4. I beg to be favoured with the instructions of Government as to what course is to be pursued towards these individuals, as well as towards their employer.

5. With respect to the disposal of the money, I would respectfully suggest that the sum of rupees 9,300, in the residency treasury, be made over to the brigadier commanding at Baroda, for the improvement of the roads and drainage of camp, and that his Highness be requested to dispose of the sum lodged with the Durbar on public works of a similar nature.

6. From a perusal of the statement of the native agent, it will be seen that I was made aware by him, from the first, of the overtures made by Baba Nafra, who particularly dwelt upon the practice of his predecessors in office, and the secrecy with which such similar transactions had heretofore been maintained, and were it not for the peculiar circumstances of the case, the fact of my having sanctioned the native agent's pretended acquiescence might be objected to as opposed to strictly judicial usage. But this is a matter of political exigency, for which the rules and forms of the British courts of law are inapplicable, and where the guilty parties can only be punished as political offenders. The very serious detriment which the interests of Government have sustained for years past in our transactions with the Durbar, owing to the corruption of the residency establishment, is too notorious to leave me any doubt or hesitation as to the expediency and propriety of the course I thus sanctioned, it being the only possible way of bringing the abominable practice to light, and putting an end to an evil which some signal evidence of the indignation with which the British Government regards the corruption of its servants, by the severity of the punishment awarded to persons found guilty of tampering with them for that purpose, is now alone wanting to accomplish, and thereby at the same time removing, in a great measure, the belief in "Kutput in Bombay," which is the subject of Mr. Secretary Goldsmid's circular, dated 15th May last, No. 2,265.

I have, &c.,

(signed) *J. Outram*, Resident.

Baroda Residency, 10 July 1850.

(No. 1.)

TRANSLATE of a Report from Soorujram, Native Agent to the Resident, dated 9 July 1850

ON the 21st of last month, I received charge of the Native Agent's appointment from Nurso Punt; a few days after a Maharatta relative of Baba Nafra's came and told me that the Baba wished to see me; that on my first visit he would present me with 5,000 rupees, after which I should be aware of all that was going on; that it was customary for all the agents to call upon Baba, who gave them what he thought fit, and which they had no scruple of accepting, so that I ought to do likewise; to all this I agreed, and reported the circumstance to the Resident, who desired me to make the Baba's acquaintance and keep him (the Resident) informed of all that was going on; soon after Baba Nafra was placed in confinement, and on the 6th instant an inhabitant of Attursombah, named Motee Heerachund, came and asked me to befriend Baba Nafra in the case of Joitabae's son, saying that this Baba was such a liberal man that the Karbarees had received from him thousands of rupees, and gone away without it even having been known; that I should be paid according to the service I performed, and enjoined me to have no anxiety in the matter; that although Baba had not seen me as he had hoped to have done, he had desired him (Motee) to say that he would give me 10,000 rupees in this case (of Joitabae's). On my bringing this to your notice you were pleased to approve of my proceedings. The next day, 7th, the books of the firm of Hurree Bhugtee were seized, and on the following day were brought to the Residency, and the examination commenced. About 2 P.M. on that day Motee Heerachund came to the residency; I met him as I went out to drink water, when he beckoned me towards him, and said that arrangements had been made for 25,000 rupees, 5,000 of which he himself was to receive, and the remaining 20,000, my share, he would bring that night; it was therefore expected that I would, by deceiving the Resident, prevent the firm of Hurree Bhugtee being disgraced; and that regarding any other transactions, any arrangements I might suggest would be attended to. I acquiesced in all this, and reported to that effect to the Resident, who approved of what I had done, and desired me to have ready at my place a couple of witnesses. I then returned home, and nobody came to my house that night, but early the next morning Motee Heerachund came to my house in a cart, and said that he had brought 10,000 rupees of the sum I was to receive in the case of Joitabae's son, that the other 10,000 he would bring in the night; to all this I

agreed, and told him to go and call Baba Nafra's son, from whom I would take the money; for this purpose I lent him my horse and started him off towards the city; having placed two peons and my karkoon in charge of the cart, I went and informed the Resident of the circumstance, and sent a sowar and peon to go and seize Motee Heerachund; another horseman and peon were sent to bring the cart with the rupees from my house to the residency. I afterwards heard that Moteechund had returned from the city, tied up the horse, and left my house again; shortly afterwards the people sent in search of him caught him near the Bechrajee Temple, and brought him to my house, whence he was taken before the Resident. On questioning him, he acknowledged to have received 15,000 rupees, 9,300 of which he had brought in a cart, and that the rest were at his house; I then, by order of the Resident, wrote a note to Govind Row Rodey, which I sent by a sowar; Meetachund's gomashtha Poorshotum was also sent to make over the money which Moteechund had left in his house to Govind Row, who was told to give the amount to the Durbar; the above sum of 15,000 was received to bribe me with, but Moteechund states that he has not received the remaining 10,000 rupees.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

(No. 2.)

TRANSLATION of the Statement of Motee Heerachund, Inhabitant of Atursoomba Pergunnah, Baroda, taken before Lieutenant-colonel J. Outram, c. b., on the 9th July 1850.

Question. For what reason did you go to Soorujram's house in a cart soon after gun-fire this morning; state what occurred this morning?—*Answer.* About two days ago, I went in company with Mhasock Paruk, a servant of Kassum Hallah's, residing in Baroda, to visit the temple of Rama; when there a servant of Baba Nafra's came and said his master wanted to see me; so Mhasock and I went to his house; Baba Nafra asked if I was acquainted with Soorujram, and on my replying in the affirmative, he requested me to ask Soorujram to prevent the firm of Hurree Bhugtee being disgraced; on my saying it would be necessary to give him something, he told me to say what I considered sufficient. I then went to Soorujram to consult on the subject; he told me that people had already offered him from 5,000 to 10,000 rupees, but that he had not agreed; I offered to bring him 20,000 rupees, but he said it would be well to get another 5,000, which I might keep myself; on my reporting the circumstance to Baba Nafra, he approved of my proceedings. The next day, about noon, I went with Mhasookram to see Soorujram, but he was with the Sahib, so I remained outside with the jemadar; after a while Soorujram came out to drink water, and I told him that I had arranged all as he had suggested, so that he was to befriend Baba Nafra, and the money would be sent; to this he agreed; Mhasook and myself afterwards left the residency in a cart, and went to Baba Nafra's and told him to send the money to my house at once; he replied that he would send 10,000 immediately by Mhasook to my house, and that the remaining 10,000 should be afterwards forwarded. I then went to my house, and about 12 o'clock at night Mhasook brought about 9,000 or 10,000 rupees in Motee Heerachund's cart; being very late the money was left in the cart, and Mhasook went away to his house. At gun-fire next morning I had the bullocks yoked and went with the money to Soorujram's house, and told him I had brought the rupees; he replied, it was no business of mine, and that I must bring Baba Nafra's son; leaving the cart in his possession, I mounted a horse which he lent me, and started to call the son, but after going a little way my suspicions were roused that all would not go well, and I retraced my steps to Soorujram's house, but not finding him at home, I went to the river to wash my teeth; on hearing that a Sirkar Putiawalla was looking out for me, I went and sat down in Soorujram's house, where a sowar and peon came to me, and I accompanied them there.

When Mhasook brought the rupees to your house, did you count them, or leave them as they were, in the cart?—The rupees were left in the cart, as they were brought, without being counted.

State positively how many rupees were brought from Baba's house, and how many were to be given to Soorujram?—Mhasook brought 15,000 rupees from Baba's house, of which four bags containing about 5,000 or 5,500 were left at my house, the rest brought here for Soorujram.

You say Mhasook went to his house at night, but when you started in the morning was he at your house?—Yes, he came to my house in the morning, and when I started I left him there.

(signed) *Mottee Heerachund Paruk.*

(No. 3.)

TRANSLATION of the Statement of Mhasook Triboowun, Inhabitant of Baroda, taken before the Resident on the 9th July 1850.

Question. DID you, yesterday, go to the house of Moteechund Heerachund, the paruk of Aterscombah, with a cart full of rupees; if so, state where you got the money, and all the circumstances of the case?—*Answer.* I am a servant to Kassum Hallah, and am in the habit of going to Baba Nafra's for the pay of the pagah, and have thus become acquainted with him. About six or seven days I met Motee Heerachund in Kassum Hallah's pagah. He asked me, if I was acquainted with Baba Nafra, to introduce him. The next day I accordingly took him to Baba Nafra's, and they entered into conversation. I remained a little distance from them; heard them about bribing the residency establishment, but I did not hear what amount was proposed. Yesterday afternoon I went to the residency, and found Motee Heerachund had gone there before me. I met him on his way back; he was riding a mare, and I was in a cart. We went together as far as the big ghee shop in the city. He then sent his mare home; got into my cart, and we both went to Baba Nafra's house, placing me at a little distance. The two entered into conversation; he afterwards went away, and told me to stay and bring the rupees which Baba would give me to his house. Baba then said to me that, according to his arrangement with Motee Heerachund, he would have the rupees put into a cart and sent to the Champanier Gate, where I was to go and wait till it came, and take it on to Motee's house. I accordingly went there, leaving my own cart at Baba's house. Soon after eight o'clock the cart, escorted by one of Baba's sepoy, whose name I knew not, arrived at the gate where I was standing; the sepoy made the cart over to me, and went away. I proceeded with it to Moteechund's house, and, on arrival, told him to count the money. He told me to go home, and that he would examine the rupees. He spread his bedding on the cart and went to sleep; I went home. This morning early, when I went to Moteechund's house, he got into the cart, which I had made over to him the night before, and went to camp. I remained for a short time at his house, and afterwards went to Bechragee's Temple. On the road I met Moteechund coming from camp, on a black horse; he told me to go and call Baba Nafra's son, named Anna Sahib, and remain near the river; saying this, he returned towards camp, and I went to Baba's house to call the boy. Having found him, we both got into a cart. On nearing the Bechragee Temple we met Motee's gomashtha, named Purshotum, who told us that Motee desired him to say that our presence was not required, and that we were to go back, which we accordingly did. Baba's son went home in the cart, and Purshotum and I went to Moteechund's house. Soon after a Government peon came and asked where Moteechund was; I said he was in camp, upon which he seized me and brought me here.

Did Moteechund take out any of the rupees which you took to his house in a cart?—He may have taken them out when by himself, for all I know to the contrary, but he did not do so before me.

Did he promise to give you anything for the trouble you took on his account?—He did not promise to give me anything, and I have received nothing.

Whose cart was that you came to camp in yesterday?—The cart belongs to my uncle, Heerachund, from whom I borrowed it. On my return to the city the cart-man objected to go to Baba's house, so I promised him a rupee, which Moteechund gave him.

Why did you come to the residency yesterday?—I came because Moteechund sent for me.

(signed) *Mahsook Triboowun.*

(signed) *M. Battye.*

(No. 4.)

TRANSLATION of the Deposition of Prema Koobair; Religion, Hindoo; Caste, Koombee Kurwa; aged about 50 Years; Inhabitant of Kupperwanj, Zillah Kaira, now residing in Baroda, in the Service of Motee Heerachund; made before the Resident at Baroda, on the 9th July 1850.

Question. WHAT was your cart laden with yesterday, and where did you take it at night?—*Answer.* This person, Abbajee Succarum (brother-in-law of Baba Nafra), who is now sitting in the cutcherry, whose name I did not know before, but, from seeing him, I made out that he was the person who took my cart to the house of Jetha Boodhur, the moonim gomashtha of Samul Bechur, in Kola Kharee, in Baroda, and made me sit some distance off, near the house of Shumboolal. After the cart was filled with money I was called. I then drove the cart, with Masook, to the Temple of "Ramdawara," near Bootree Jampa, where I unyoked the bullocks for the night, and took them to my house. This morning, after gun-fire, I took the bullocks to the temple, and yoked them to the cart. A banian of Attersoonba sat in it. I then drove the cart to camp, to the house of Soorujram, where I unyoked the bullocks by desire of the banian. Afterwards the Sirkar's sowars came there, with whom I came to the residency with the cart.

Were you promised any hire?—No; but a present of one rupee was given to me. This is all I know.

(No. 5.)

TRANSLATION of the Statement of Abbajee Succaram ; Religion, Hindoo ; Caste, Decanee Brahmin ; Profession, Goomashta, in the Shop of Narron Runchor ; aged 35 Years ; Inhabitant of Baroda ; made before the Resident at Baroda, on the 9th July 1850.

Question. PREMA, driver, states that you came and took his cart to convey some money as bribe to Soorujram Gangaram ; is this true, if so, state the amount ?—*Answer.* I know nothing about having gone to bring the cart, but Baba Nafra told me to go to the *shop of Lalbhoy, and say that the Setanee had sent a goomashta with a message to have the cart loaded with money. On this I went to Nuthoobhoy, the mookteear of the shop, and told him that, by desire of the Setanee, the money must be put in the cart by Masook. I then sat down, and Masook put the money into the cart ; afterwards, the cart left the place, but I went to my house, had my meal, and then went to sleep.

While you were sitting where did the cart go to ?—Masook went with the cart, but where it went I do not know.

Did Baba specify any amount to you ?—He mentioned no amount, but spoke to me ambiguously.

You say you did not take the cart, and the driver says to your face that you did ; how is this ?—Prema falsely takes my name. Masook took the cart.

Did you, after conveying the message to the shop of Lalbhoy to have the cart loaded with money, inform Baba of it ?—I did not go to Baba, but went to my own house.

(signed) *Abbajee Succaram.*

(No. 6.)

TRANSLATION of the Deposition of Purshotum Runchor ; Religion, Hindoo ; Caste, Banian ; aged about 36 years ; Inhabitant of Attersoomba Pergunnah, Baroda ; made before the Resident at Baroda, dated 10 July 1850.

Question. ARE you employed by Motee Heerachund ?—*Answer.* I have been in his service about 15 years.

On the night of the 8th instant a cartload of rupees were brought to Motee Hurachund's house ; from whence did this money come, and what became of it ; tell the truth ?—I do not know where the cart came from, but about 9 or 10 o'clock at night Masookram, paruk of Baroda, brought a cart-load of money to our house, where Moteechund and I were sitting, and told us to take care of it. Moteechund desired him to unyoke the bullocks. After this Masook Paruk went to his house. Moteechund then took four full bags out of the cart and placed them in my house upstairs in a cupboard, which he locked up. Afterwards Moteechund slept in the gharry and I in the house. When morning dawned Moteechund yoked the bullocks and told me he was going to camp. Masook at the time came there and sat down near me ; he afterwards mounted his horse and went to camp, near "Bechrajee's" (temple) ; he met Motee, who told him to go and bring Baba Nafra's son. Moteechund then came to me and said that he had sent Masook to bring Baba Nafra's son, but if he came, not to send him to camp, but desire him to go back. After saying this he returned to camp. I remained on the road and met Masook taking Baba Nafra's son to camp. I desired them to go back, and went to my house. Masook also came there. While we were sitting the Sirkar's puttawalla came in search of Moteechund, but not finding him he brought us to the residency. This is all that occurred. Afterwards I was told to make over to the Guikwar the four bags of money which Moteechund had placed in the cupboard, which I accordingly did. I was afterwards taken to the Motee Bagh, and in the evening was kept in the chubootra. I was this day made over to the Resident, and have stated all that occurred.

Did you and Moteebhoy count the money ?—We did not count the money, nor do I know what was the amount.

Do you know from whose house this money was brought as a bribe for Soorujram ?—No, I do not ; Moteechund brought the money direct, and must know all about it.

What was the amount contained in the four bags you delivered to the Guikwar yesterday ?—I do not properly recollect how much the amount was, so how can I say ?

(signed) *Purshotum Runchor.*

(No. 7.)

TRANSLATION of the Deposition of Nuthoo Lalchund ; Religion, Hindoo ; Caste, Banian ; aged about 30 years ; Inhabitant of Kupperwung, now residing in Baroda ; made before the Resident at Baroda ; dated 11 July 1850.

Question. MOTEE HURACHUND has deposed, that by desire of Baba Nafra he brought money from the shop of Lalbhoy Gulal, therefore state by whose order, and for what purpose the money was given ?—*Answer.* Last Monday at noon I went to Baba Nafra, who told me that

that Hurry Bhugtee was a partner with me in the shop of Girdhun Samul, which has been carried on for six months, and to give from the shop to Paruk Motee Heerachund 15,000 rupees. The same night, about nine o'clock, the brother-in-law of Baba Nafra, by name Abba, and Motee Heerachund, came to my shop; the former remained downstairs and the latter came upstairs and asked for 15,000 rupees, which Baba had desired me to pay him. Accordingly I gave him 10 bags of money, and which were conveyed in a cart by Motee and Abba, but where they went to I do not know. The next day, Tuesday, it was rumoured that this money was taken by Moteechund as a bribe to Soorujram. On this I went to Baba Nafra and stated what is written above. I then asked him to whom the amount was to be debited in the chopra; he replied that he had advanced the sum to Motee Heerachund for one month, at 8 annas interest, and desired me to enter it as such. I then returned home, and made the entry in the book accordingly. On Wednesday I was called by the Sirkar to bring the chopras, which I accordingly did, and stated the whole case. Besides this I know nothing.

Did the Setanee tell you anything about paying this money?—No; but Baba told me, and I therefore gave the money.

It is customary among shroffs to debit the amount immediately it is paid; why did you not debit the amount until next day?—When I was desired to pay the amount, I was not told to whom it was to be debited; but the next day, when I heard of the report that the money was as a bribe for Soorujram, I went to Baba and asked him in what way the money was to be accounted for; he replied that the money was given to Moteechund Heerachund on interest, and to write so in the chopra, which I accordingly did the next day. It is customary among shroffs to enter the amount immediately it is paid; but as I was not distinctly informed to whom I should debit the amount, I did not do so.

(signed) *Nuthoo Lalchund.*

(True translations.)

(signed) *M. Battye, Assistant Resident.*

— No. 33. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Willoughby*.

THE case is very clear. If the Gaekwar would consent, the parties might be tried by the Resident; if not by himself, the result being reported to the Resident. The money might be expended on some useful work, a bridge for instance, to be called "Baba Nafra's" or "Hurry Bhugtee's" Bridge, on one of the new lines of road lately laid out by his Highness Gunput Row Gaekwar.

(signed) *Falkland.*

23 July 1850.

J. P. Willoughby.

(True copy.)

Chief Secretary.

— No. 34. —

MINUTE by the Honourable Mr. *Blane*.

It would not appear that the parties can be tried by the Resident. With respect to the offence of giving a bribe generally, I would refer to page 27 of the Appendix to the New Penal Code. In the present instance the bribe would seem to have been given rather as an installation fee to the new native agent, than for the purpose of effecting any particular object. I allude to this merely with reference to Colonel Outram's remark that peculiar severity of punishment is called for. Unless under some aggravation, the loss of money would seem to be an adequate penalty, and particularly so under the encouragement apparently held out. All proceedings in this case should, I think, await the adjudication of the heavier charge regarding Joetabhaee's child.

27 July 1850.

(signed) *D. A. Blane.*

(True copy.)

Chief Secretary.

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Willoughby* and the Honourable Mr. *Blane*; without date.

On further consideration of this case, I concur with the Honourable Mr. *Blane* in thinking that the parties in this case should not be tried by the Resident, and that at any rate all further proceedings should be postponed till the adjudication of the heavier charges regarding Joetabhaee's child.

(signed) *Falkland.*
J. P. Willoughby.
D. A. Blane.

(True copy.)

Chief Secretary.

— No. 35. —

No. 3,989 of 1850.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to Lieutenant-Colonel *J. Outram*, c. b., Resident at Baroda.

Sir,

Political Department.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 11th ultimo, No. 159, and to inform you that further proceedings on the subject thereof appear to Government unnecessary until the heavier charges against Baba Nafra, relative to the child of Joitabae Setanee, shall have been inquired into.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 26 August 1850.

— No. 36. —

EXTRACT Bombay Political Consultation, 11 September 1850.

No. 188 of 1850.

No. 7,200.

From Lieutenant-Colonel *J. Outram*, c. b., Resident, Baroda, to *Arthur Malet*, Esq., Chief Secretary to the Government of Bombay.

Sir,

Political Department.

I HAVE the honour to acknowledge the receipt of your letter, dated 2d instant, No. 3,679, transmitting to me in original a petition from Hurgovind Hurruchund, for any consideration it might require.

2. My first impression was that statements so obviously dictated by a revengeful feeling towards Soorujram, the residency native agent, for having exposed the attempt to bribe the latter, on which the petitioner was employed, should be left unnoticed, the real facts of the transaction to which he refers having been placed before Government in my report, dated 11th ultimo. But it has occurred to me that it is but just to the native agent, who has rendered himself amenable to revengeful attacks of this nature, by which he may expect to be long persecuted, that I should remind Government of the animus which in all probability actuates his accusers, and of the very powerful and numerous faction whose enmity has been raised against the man who has so effectually aided Government in checking a system by which they had heretofore earned their unlawful gains.

3. In this instance I am enabled to trace the instigator of this petition, who is evidently Baba Nafra himself, the party who employed the petitioner to give the bribe. I draw this conclusion from the fact that the insinuations against the native agent contained in the second paragraph of the petition, are exactly what Baba Nafra's agent in Bombay (as I suppose the man to be) was instructed to communicate to Captain French, as a reference to that gentleman will prove.

4. I may

4. I may here observe, that I have no doubt the agents of Baba Nafra and Nursoo Punt, actuated by such motives, will do their utmost to get up cases against Soorujram, and I have learnt that Nursoo Punt diligently employed himself at Ahmedabad to that end for some time, but to no purpose.

I have, &c.

(signed) *J. Outram,*
Resident.

Baroda Residency, 11 August 1850.

P. S.—The original petition is herewith returned.

(signed) *J. Outram,*
Resident.

— No. 37. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Willoughby* and the Honourable Mr. *Blane*.

No. 7,201.

THIS may be recorded, petitioner being informed that his petition needs no reply.

(signed) *Falkland.*
J. P. Willoughby.
D. A. Blane.

21 August 1850.

— No. 38. —

No. 4,038 of 1850.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to Lieutenant-colonel *J. Outram*, c. B., Resident at Baroda.

No. 7,202.

Sir,

WITH reference to your letter, dated the 11th instant, No. 188, I am directed by the Right honourable the Governor in Council to request that you will intimate to Hurgovind Hurukchund, who has been referred to you, that his petition dated the 15th ultimo needs no reply.

Political Department.

I have, &c.

(signed) *A. Malet,*
Chief Secretary.

Bombay Castle, 27 August 1850.

— No. 39. —

No. 4,039 of 1850.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to Hurgovind Hurukchund, Baroda.

No. 7,203.

I AM directed to refer you to the resident at Baroda for a reply to your petition dated the 18th ultimo.

By order, &c.

(signed) *A. Malet,*
Chief Secretary.

Bombay Castle, 27 August 1850.

— No. 40. —

Extract Bombay Political Consultation, 24 September 1850.

No. 208 of 1850.

From Lieutenant-colonel *J. Outram*, c. B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

No. 7,211.

Sir,

I HAVE the honour to transmit for such consideration as the Right honourable the Governor in Council may deem it deserving of, a petition in original (with

Political Department.

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translation)

translation) from Maha Luxmeebhaee, widow of the late Bachurbhye, complaining that Baba Nafra has unauthorisedly been making petitions in her name, and requesting that no such petitions may be considered as coming from her.

2. Not having received any intimation from Government of the receipt of the second petition referred to by the Setanee, to which she appears to have obtained a reply, dated 22 July 1850, I beg that I may be furnished with the document in original, for the purpose of tracing the treachery which the Setanee represents to have been practised towards her.

3. On sending for the petition book for the purpose of ascertaining whether any such intimation had been received regarding the second petition, I then observed that I had inadvertently overlooked the call made at the conclusion of your letter, No. 3,838, of the 17th ultimo, for my report on the first petition therein forwarded. Having myself written to you for that petition, and being much occupied at the time I received your reply enclosing it, which from its brevity appeared to be a mere transmitting letter, I regret to have to confess that, taking this for granted, I sent it at once to the office without attentive perusal, for which negligence I beg to apologise.

4. I have now requested his Highness to cause the parties concerned to be examined, and on receipt of their depositions I shall do myself the honour to submit the required report.

I have, &c.
(signed) *J. Outram,*
Resident.

Baroda Residency, 7 September 1850.

TRANSLATION of a Letter from Mahaluxmee Bae, Widow of the late Bechurbhoy Samaldass, of the firm of Hurry Bhugtee, to the Resident at Baroda, dated Shrawun Vud 13, Samvut 1906 (A. D. 4 September 1850).

My discharged goomastha, Baba Nafra, with fraudulent motives, and without explaining the purport of it, brought me a petition addressed to the Bombay Government, dated 12 July 1850, and said that it was to obtain an order from Government to have him released from confinement, and desired me to sign it, which I did; and a reply was received from Government, dated 17 August 1850, from which Nafra's deceit became known to me, of which I informed the Resident by my goomashta. On the 13th July another petition was made by Nafra, and a reply received, dated 22 July 1850, by which I am much astonished to find, that as I made no petition the Government has sent a reply; how is this? I beg to state that in future should Baba Nafra send any false petitions to Government or to the Resident on any case whatever, the same should not be admitted, and that the Resident will be pleased to communicate the above matters to the Bombay Government.

(signed) *Mahaluxmee Bae,*
by Peetamber Bhoy Sewlall.

(True translation.)
(signed) *J. Outram,* Resident.

— No. 41. —

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane*.

It is owing to a clerical error in the reply of the 17th August, in which the 12th is written, instead of the 13th, that Mahaluxmee Bae has been led to suppose that two petitions in her name have been presented to Government. Colonel Outram may be so informed.

(signed) *J. P. Willoughby.*
D. A. Blane.

18 September 1850.

(True copy.)
Chief Secretary.

— No. 42. —

No. 4,401 of 1850.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c. B., Resident at Baroda.

No. 7,913.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 208, dated the 7th instant, with enclosures, and to inform you that it is owing to a clerical error in the reply of the 17th ultimo, No. 3868, to Mahaluxmee Baee, in which the 12th is written instead of the 13th, that she has been led to suppose that two petitions in her name have been presented to Government.

Political Department.

Bombay Castle,
24 September 1850.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

— No. 43. —

Extract Bombay Political Consultation, 30 October 1850.

No. 211 of 1850.

From Lieut.-colonel *J. Outram*, c. B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

No. 8,723.

Sir,

WITH reference to my letter, dated 7th instant, No. 208, relating to the petition in the name of Maha Luxmee Baee, widow of the late Bechurbhaee Samuldass, I have the honour to transmit translations of depositions by that lady and her father; also of Baba Nafra and a relation of his; from the former of which it appears that a petition was prepared by Baba Nafra, or written under his dictation, which Luxmeebaee and her father state that they were induced to sign under misrepresentations as to its purport, the petition not having been read to them; but from the statement of the father, it would appear that the petition forwarded by you* (herewith returned) is not the paper they signed. The depositions of the other parties interested in effecting the imposition on the Shetanee are contradictory to the above.

Political Department.

* Letter dated
17 August 1850,
No. 3,838.

Baroda Residency,
10 September 1850.

I have, &c.
(signed) *J. Outram*, Resident.

TRANSLATION of the Deposition of Shetanee Mahluxmee Baee, Widow of the late Bechurbhoy Samuldass, dated Shravan Vud 14, Sumvut 1906 (A. D. 5 September 1850), taken before the Durbar.

Question.—A Maratta petition, in your name, and written on fine post paper, dated Jet Vud 10th, Sumvut 1906 (11 July 1850), is here read to you: was this petition made by you; if so, how was it done?—*Answer.* The petition having been read and shown to me, I have to state that when Baba was first confined, and the Resident sent for the chropas of my shop, Baba Nafra's son Appa brought to me a petition, and said, that as Baba (his father) was confined, to sign the petition quickly, as it is one of emergency. On this I got my father Wujjoobhoy to sign it; but whether this is the same petition or another I do not know; neither was its contents explained, or the petition read to me, but in an ambiguous way he got the petition signed.

At the bottom of the petition it is signed in your name, and said to be your mark, and that of your son Purshotum, and written by your father Wujjoobhoy Wancheedass; state whether the mark was made by you, and whether the signature is the same as that written by Wujjoobhoy?—After Baba was confined, his son Appa remained in my house for two or three days, and only once, as above stated, my signature was obtained in an ambiguous way; but whether this is the same petition or another I do not know, nor were the contents explained to me; and whether it is the same or another how do I know?

Do you know whether the petition was written on a fine or on country paper?—As the signature was taken in a hurry, I do not recollect what kind of paper it was.

(signed) *Shetanee Maha Luxmee*,
By Gomashta Echaram,
by desire of the Shetanee.

TRANSLATION of the Deposition of Wujjoobhoy Wancheedass, Inhabitant of Baroda, aged 45 ; Caste, Banian ; dated Shrawun Vud 14, Sumvut 1906 (5 September 1850); taken before the Durbar.

Question. A petition, dated Jet Vud 10th, Sumvut 1906 (11 July 1850), and written on a fine post paper, in the name of Mahluxmee Shetanee (your daughter) and Purshotum Bhoy, is here shown to you ; state whether the signature of your daughter and that of her son in this petition was written by you, or how ?—*Answer.* The Sirkar having shown me the petition bearing the signatures of my daughter Mahluxmeebaee and Purshotum Bhoy, I have to state that the signatures resemble my handwriting, but I never signed such a paper, nor did I write or sign on such a fine paper ; I once signed Mahaluxmee's name on a country paper.

What was the subject of the paper you had signed, and what was written in it ; and by whose desire did you sign it ?—Baba Nafra's son was in my shop, and as I was sitting near Mahluxmee, the lad brought me a paper, and at his request I signed it ; but what was the subject of that paper I do not know.

Which of Baba's sons was in your shop ?—The youngest, Appa.

After Baba was confined, how many days did Baba's son remain in the shop ?—Baba was confined on Wednesday, and on Friday his son left the shop ; he remained three days in the shop.

After Baba was confined how many petitions did Mahluxmee Bae make to the Bombay Government and this Government ?—None.

(signed) *Wujjoobhoy Wancheedass.*

* Baba Nafra's
sister-in-law's son.

TRANSLATION of the Deposition of Tatiaba Babajee* ; Caste, Deccanee Brahmin Kurrara ; Inhabitant of Oolpar ; now residing in Baroda ; aged 22 years ; Profession, Service ; made before his Highness the Guicowar on Shrawun Vud 14, Sumvut 1906 (A. D. 5 September 1850).

Question. A petition in the name of Mahluxmee Setanee, widow of Bechur Bhaee Samuldass, and that of her son Purshotum Bhoy, dated Jet Wud 10th, of Sumvut 1906 (11 July 1850), is here shown to you ; state in whose handwriting it is ?—*Answer.* The petition having been shown to me by the Sirkar, I beg to state that it is in my handwriting.

In whose handwriting is the Guzerattee signature below the petition ; do you know ?—The signature is in the handwriting of Wujjoobhoy, and it was signed by desire of Mahluxmee Bae.

Who all were present at the time ?—Setanee, Wujjoobhoy, myself, goomashtas Echaram and Damodhur were present ; but I do not recollect the rest.

As you were present at the time the petition was signed, was it first read to the Setanee ?—I read the petition to the Setanee, who, together with Wujjoobhoy and others, heard it ; and afterwards Wujjoobhoy signed it.

You state the petition was signed after you had read it ; but at whose desire did you write the petition ?—As Setanee, Wujjoobhoy, Echaram, Damodhur, and others were sitting, the former said that as great imposition was made on her, she directed a petition to be prepared, which was done by me, after all had well considered the matter.

There is no difference in this deposition.

(signed) *Tatiaba Babajee.*

* S. O.

TRANSLATION of the Deposition of Wamun Row Venktesh Baba Nafra ; Caste, Duccanee Brahmin Kurrara ; aged about —* ; Profession, Service ; made before his Highness the Guicowar on Shrawun Vud 14, Sumvut 1906 (5 September 1850).

Question. A petition in the name of Mahluxmee Setanee, widow of the late Bechurbhaee Samuldass, and that of her son, Purshotum Bhoy, dated Jet Vud 10th, of Sumvut 1906 (11 July 1850), on fine post paper, is here shown to you ; state whether you were cognizant of it, and by whom is it signed and written ?—*Answer.* Having read the petition shown to me by the Sirkar, I beg to state that when I was at my house, and the Shetjee, after having returned from his visit to the Resident, the Shetanee prepared to go to Bombay ; but I considered that as all blame would fall on me, I advised the Shetanee not to go, but if she wished she could make a petition, and every thing would be done. On this the Shetanee caused a petition to be written, which was done by Tatiaba of Olpar, and sent ; and this is the same petition.

In whose handwriting is the petition ?—It is in the handwriting of Tatiaba, of Olpar.

Were the Guzerattee signatures of Shetanee Bae and Purshotumbhoy made in your presence, or how ?—They were not done in my presence.

There is no difference in the above deposition.

Do you know whether any other petitions were made in the name of the Shetanee besides the above ?—Two petitions, including this, were made.

In whose handwriting was the other petition ?—It may have been written either by my karkoon or gomashtha, but I do not now recollect his name.

Were—

Were you cognizant of this second petition, and did you read it?—As I was guarded by the Sirkar's people, no one brought me any petition; but as the Shetanee was at that time about going to Bombay, I advised her not to go, but to prefer a petition. After this petition was sent I heard of another being sent.

There is no difference in the above deposition.

(signed) *Wamunrow Vinktesh Nafra.*

(True translations.)

(signed) *M. Battye, Assistant Resident.*

— No. 44. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Willoughby* and the Honourable Mr. *Blane*. No. 8,724.

It appears to be unnecessary to do more than record this at present.

(signed) *Falkland.*
J. P. Willoughby.
D. A. Blane.

14 October 1850.

— No. 45. —

Extract Bombay Political Consultation, 5th February 1851.

No. 280 of 1850.

From Lieutenant-colonel *J. Outram*, c.b., Resident at Baroda, to *A. Malet*, Esq., Chief Secretary to the Government of Bombay. No. 507.

Sir,

His Highness the Guicowar having in vain endeavoured to induce the widows of the late Samul Bechur, of the guaranteed firm of Hurree Bhugtee, to come to a mutual agreement in the selection of a mooneem goomashta, or manager, in the room of the late moonim, Baba Nafra, now under sentence of imprisonment, to conduct the bank affairs during the minority of the heir Purshotum Bhye, now seven years of age, has addressed to me a yad, dated 20th instant, translate of which, with its accompaniments, is annexed, proposing an arrangement by which provision will be made for the support of the widows, and for the management of the firm, which appears to me fair to all parties, and the best that can be effected to secure the interests of the heir, and I beg to submit the proposition, therefore, for the confirmation of the Right honourable the Governor in Council. Political Department.

2. Peetamber, the goomashta selected for the post of moonim, has almost an hereditary title to the trust, his father, the late Shewlal Paruck, having filled the same position until his death, which occurred three or four years before the demise of Bechur Bhye, when, his son being then too young for so responsible a situation, Baba Nafra was appointed. He is, moreover, the selection of the elder widow Mahluxmeebaee, though not related to her, but strange to say is objected to by Joitabae, the younger widow, to whom he is related, for no substantial reason that I can learn; for he was in no way concerned in Baba Nafra's machinations, whereby she suffered so much. Be that as it may, no scope should be left for the bickerings of the two widows, the only way of putting a stop to which appears to be this now proposed, which therefore I recommend to the favourable consideration of Government.

I have, &c..
(signed) *J. Outram.*
Resident.

Baroda Residency, 23 December 1850.

TRANSLATION of a Yad from His Highness the Guicowar to the Resident, dated
15 Suffer Soorsun, 1251 (A. D. 20 December 1850).

THE heir of Hurree Bhugtee, by name Purshotum Bechur, being a minor, and as his own and stepmother are not of one mind, they are constantly disputing about the affairs of the shop. Therefore this Government have informed the two Setanees that they should be of one mind, and peaceably conduct the affairs of the shop till the heir comes to age, or to entrust the management thereof to some one in whom they have confidence. They, however, do not agree to this, and are constantly raising disputes; consequently they are told that so long as the young Sett is a minor, they should receive certain allowances from the shop for their support. A yad on the subject, as also regarding the son of the late Shewlal Paruck Moonim, by name Peetamber, who is employed in the firm, and in whom the lawful mother of the boy, Mahluxmee Bae, has confidence, being appointed manager of the firm, were produced by Mahluxmee before this Durbar. Peetamber is a relative of Joitabae; nevertheless, so long as the son is a minor, that no loss may be sustained by the firm, this Government has prepared a yad in detail to the above effect, which, together with the yad for the maintenance of the two Settanees, are herewith sent. This Government therefore requests that, after taking these papers into your consideration, you will favour it with a reply.

TRANSLATION of a Memorandum regarding the Provisions to be made for Mahluxmee Bae, of the firm of Hurree Bhugtee, received with his Highness's Yad, dated 20th December 1850.

Twelve Months' Expense for Food, Clothes, and the Pay of Servants, &c.

		Rs.	a.	p.
1 cook, at 3 rupees per mensem	- - - - -	36	-	-
1 water-carrier, at 3 rupees per mensem	- - - - -	36	-	-
2 female attendants, at 3 rupees per mensem each	- - - - -	72	-	-
1 mussalchee, at 4 rupees per mensem	- - - - -	48	-	-
1 gharry, bullocks, and driver	- - - - -	200	-	-
1 goomashta	- - - - -	100	-	-
2 kismudgar, at 4 rupees each per month	- - - - -	96	-	-
6 sepoy, at 5 rupees each per month	- - - - -	360	-	-
For food	- - - - -	480	10	-
For one Setanee, per day each, or for 12 months	- - - - -	123	12	-
	Rs. a. p.			
1 seer wheat	- - - - - 6			
Ditto punkalee rice	- - - - - 1			
$\frac{1}{4}$ $\frac{1}{8}$ seer of doll	- - - - - 3			
$\frac{3}{4}$ ditto - ghee	- - - - - 3			
$\frac{1}{4}$ ditto - sugar-candy	- - - - - 9			
	- 5 6			
Food for the water-carrier for 12 months	- - - - -	28	2	-
1 seer kitcherry, daily	- - - - - 6			
1 ditto bajree flour	- - - - - 6			
$\frac{1}{8}$ ditto ghee	- - - - - 3			
	- 1 3			
Food for the cook, for 12 months	- - - - -	28	2	-
For every day, 2 seers grain and $1\frac{1}{8}$ seer ghee.				
Food for two women, for 12 months	- - - - -	56	4	-
4 seers grain and $\frac{1}{8}$ seer ghee for both daily.				
1 kumatee, for washing pots, at 2 seer grain and $\frac{1}{16}$ seer of ghee per day, or for 12 months	- - - - -	28	2	-
For guests, 4 seer grain and $\frac{1}{4}$ seer ghee per day, or for 12 months	- - - - -	67	8	-
Vegetable, at $1\frac{1}{2}$ a. per day, or for 12 months	- - - - -	33	12	-
Spices, at $1\frac{1}{2}$ a. per month, or for 12 months	- - - - -	18	-	-
Oil, 10 seers per month, or for 12 months	- - - - -	12	-	-
Pickle, &c. for 12 months	- - - - -	25	-	-
Fire-wood, 24 carts, at $2\frac{1}{2}$ rupees each, for 12 months	- - - - -	60	-	-
		480	10	-
Carried forward	- - -	1,428	10	-

	Rs.	a.	p.	Rs.	a.	p.
Brought forward - - -	-	-	-	1,428	10	-
For clothes - - - - -	-	-	-	627	-	-
6 sourees - - - - -	104	-	-			
4 sourees, at 20 rupees each - - -	80	-	-			
2 ditto, at 12 rupees each - - -	24	-	-			
1 pair dhotee - - - - -	25	-	-			
2 pair of shawls, to be given now - -	450	-	-			
1 pair - - - - -	150	-	-			
1 ditto - - - - -	300	-	-			
To be given every four years :						
12 khund of cloth, for cholleees - - -	48	-	-			
6 khund, at 5 rupees each - - -	30	-	-			
6 khund, at 3 rupees each - - -	18	-	-			
For charity and pocket expense, at 50 rupees per month, or for 12 months -	600	-	-			
Pan, sooparee, &c., at 5 rupees each - - -	60	-	-			
	Rs.			2,715	10	-

1. Bedding, house, gharree, expense for the purchase of pots, are supplied for the shop, and the old articles returned to therein.

2. If the Setanee intends to go out anywhere, she can have the use of the palanquin if the Shet does not go out.

3. Four hundred rupees to be paid annually to the Setanee's father.

4. The expense for pilgrimage to Benares, Dwarka, Shree, Nathjee, &c. and other large jahtras at a distance, will be paid by the firm, according to rank, including charity and seabundy expense.

5. The jewellery given in the time of the Shet is to remain with the Setanee. The expense of repairing which is to be borne by the firm, and a memorandum of it kept in the shop. The jewels are not to be sold or given away without the Shet's order. Agreeably to the above arrangement should Joitabae Setanee also be provided.

Dated Magsheir Sood 15th, Sumvut 1907 (A. D. 19 December 1850).

TRANSLATE of a Memorandum regarding the Arrangement proposed for conducting the Affairs of the Shop of Hurree Bhugtee, received with his Highness the Guicowar's Yad, dated 20th December 1850.

1. A List should be made of the articles in the old "jamdar khana," such as monies, precious stones, gold and silver ornaments there may be, and counted in the presence of the fathers of both Setanees, the killeedar of the shop, Petamber, the present manager, and the goomashtas of some respectable sowcars, or the sirkaree kamdar, which list both Setanees should keep till the boy comes to age. The fathers of both Setanees, the killeedar, and the manager should sign this yad, one copy to be kept with the Sirkar and one copy by the moonim. The jamdar khana to be locked up, and a mark placed which the moonim should examine every day. If in any emergency money is required to be taken out from the jamdar khana, the two Setanees (pending the Shet coming to age) should consult the manager of the shop on the subject. And whatever money is taken out the Sirkar should be informed of it, as also the cause of doing so. If one of the Setanees does not consent, the Sirkar should be informed on the subject, when the necessary arrangement will be made.

2. A yad or memorandum should be made of the money that may be in the shop, and of the collections expected; which list should be signed by the fathers of the two Setanees, and kept in the shop.

3. The present manager should continue the sirkaree potdaree (the current business), khatadars (persons who have dealing with the shop), and others, which may have heretofore continued.

4. If a new "khata" is to be opened, or money lent for the purpose of gain, the permission of the two Setanees should be obtained by the manager. If there be anything in which a profit may arise to the firm, and if one of the Setanees does not give her consent through enmity, the Sirkar should be informed of it, with the cause of profit arising from the transaction, when the necessary arrangement will be made. But if this course be not adopted, and the manager does as he likes, he is responsible for it.

5. Whatever expenses there may be, and which have continued from the time of the Shets, regarding goomashtas dhurmada (charity), giving of presents from the shop on the occasion of marriage, &c., and on sirkaree babut, the same should be done. If after the Shet's death, Baba Nafra made any increase of expense, the same should be reduced; but if he has reduced it, the same should be increased.

6. The expenses of food on account of mundeers (pagadars), and on account of holidays defrayed from the shop, should be continued in the same manner as in the time of the Shets. If there be anything in which a reduction can be made, the same should be done, but no increase to be made.

7. The garrees, horses, palanquin, and sibundy should be retained as in the time of the Shets. A reduction should be made where it could be done, for the benefit of, and without affecting the character of the shop.

8. The present manager should receive half of the allowance which was granted to Baba Nafra by the Shet.

9. The manager should not take money from the shop in his name for his expenses, &c.

10. The manager should four times in a month visit the two Setanees, but if he be called by the Setanee regarding any dispute, &c., he should immediately go; and whatever dispute the Setanee may tell him, he should make inquiries on the subject according to custom. If the Setanee does not agree to the arrangement he may have made, the matter should be referred to the Sirkar, when the necessary arrangement will be made.

11. No garden, lands, village houses, and property in the shop, or abroad, should be sold or mortgaged without the orders of the two Setanees. If one of them chooses to do so, it should not be allowed till the young Shet comes to age.

12. If by making a memorandum of the articles in the large "jamdar khana," as stated in the first para., the character of the shop is likely to suffer, and if the two Setanees are against it, the locks should be marked. But if the two Setanees are not of one opinion, the Sirkar should be informed of it, when the necessary arrangement will be made.

Dated Magsheir Sood 15th, Sumvut 1907 (A. D. 19 December 1850).

(True translations.)

(signed) *J. Outram*, Resident.

— No. 46. —

MINUTE by the Right Honourable the Governor, concurred in by his Excellency the Commander-in-Chief.

WE have not yet received Colonel Outram's report relative to the proof of the child alluded to in this letter being the son of the late head of the firm of Hurree Bhugtee by Joetabhaee; perhaps it would be well, however, to sanction the arrangements herein suggested, with a proviso that it is temporarily sanctioned pending the receipt of the information above alluded to. It appears, however, to me that the allowances are very small for a house of such reputed wealth.

(signed) *Falkland*
J. Grey.

7 January 1851.

(True copy.)

Chief Secretary.

— No. 47. —

MINUTE by the Honourable Mr. *Willoughby*.

I THINK this arrangement may be sanctioned as a temporary measure until the reports promised in regard to recent transactions in which the firm has become involved are received; but prudence suggests that security should be taken from the gomashtha to be appointed to manage the affairs of the firm, for the faithful discharge of his trust.

10 January 1851.

(signed) *J. P. Willoughby.*

(True copy.)

Chief Secretary.

— No. 48. —

MINUTE by the Honourable Mr. *Blane*.

I AM not aware that any better course than to accede to his Highness the Gaekwar's suggestion, pending the receipt of the detailed report on the merits of the case, is open to us.

10 January 1851.

(signed) *D. A. Blane.*

(True copy.)

Chief Secretary.

— No. 49. —

Further MINUTE by the Right Honourable the Governor, concurred in by the Board; without date.

PERHAPS it would be better to take the security suggested by the Honourable Mr. Willoughby.

(signed) *Falkland.*
J. Grey.
J. P. Willoughby.
D. A. Blane.

(True copy.)

Chief Secretary.

— No. 50. —

No. 275 of 1851.—Political Department.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to Lieutenant-colonel *J. Outram*, c.B., Resident at Baroda.

No. 512.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 23d ultimo (No. 280), forwarding translation of a yad from his Highness the Gaekwar, proposing certain arrangements for the support of the widows of the late Samul Bechur and the management of the firm of Hurree Bhugtee.

2. In reply, I am desired to observe that Government is not yet in possession of your report relative to the proof of the child alluded to in your letter being the son of Samul Bechur by Joitabae.

3. Pending the receipt of the above information, and the reports in regard to recent transactions in which the firm of Hurree Bhugtee has become involved, his Lordship in Council is pleased, as a temporary measure, to sanction the arrangements suggested by his Highness the Gaekwar, although the allowances proposed appear to be very small for a house of such reputed wealth.

4. I am desired to add that security should be taken from the goomashta to be appointed to manage the affairs of the firm for the faithful discharge of his trust.

Bombay Castle,
 21 January 1851.

I have, &c.
 (signed) *A. Malet,*
 Chief Secretary.

— No. 51. —

Extract Bombay Political Consultation, 4 April 1851.

No. 38 of 1851.

From Lieutenant-colonel *J. Outram*, c.B., Resident at Baroda, to *A. Malet*, Esq., Chief Secretary to the Government of Bombay.

No. 2,052.

Sir,

WITH reference to your letter, No. 275, dated 21st ultimo, conveying the sanction of the Right honourable the Governor in Council, as a temporary measure, to the arrangements suggested by his Highness the Guicowar, for the

support of the widows of the late Samul Bechur, and management of the firm of Hurree Bhugtee, and directing that security should be taken from the goomashta to be appointed to manage the affairs of the firm, for the faithful discharge of his trust; I have the honour to submit, for the information of Government, translate of a yad received from his Highness the Guicowar, dated 25th instant, and request to be favoured with instructions on the following points mooted therein :

- 1st. With respect to the amount of security to be demanded from the managing goomashta of the firm.
- 2d. With regard to the examination of the current "Jamdar Khana," or smaller treasury of the firm, from which it is apprehended large sums have been embezzled, in addition to the enormous defalcations in the books of the firm (amounting to Rs. 3,74,407. 9.), of which the late managing goomashta Baba Nafra has given no satisfactory explanation.
2. It appears to me that the most satisfactory security the Moonim goomashta could furnish, would be the general security for faithful conduct of any one of the principal sowkar firms of Baroda; otherwise, monied security to the amount of two laks of rupees.
3. The inspection of the smaller treasury is urgently required, not only to ascertain whether or not Baba Nafra has, as suspected, abstracted anything therefrom, but because it has to be drawn upon for the current business of the firm, and to meet the expenses of the marriage of Purshotum, the heir of the late Bechur Samul. So long as the larger treasury, which has not been opened since Shettjee's death, is not displayed, the examination of the smaller treasury by a public committee involves no exposure of the affairs of the bank; and so much dishonesty has been brought to light in connection with its late management, that, in justice to all parties, a public examination, or, at least, an official inspection, is called for; but in virtue of the British guarantee, it is necessary that an officer be deputed on my part (my assistant or the native agent) to be present on the occasion. I would beg to propose, therefore, that his Highness be requested to appoint a committee, constituted of two of the principal sowcars, the fathers of both the Setanees, an officer from the Durbar, and one from the Residency, for this duty; Baba Nafra himself to be present if he pleases, but, under any circumstances, that he be compelled to give up the keys, of which he still retains possession.
4. In conclusion, I beg that I may be favoured with an early reply, as the young Shett's marriage, for which the preparations are considerably advanced, cannot take place until the treasury is opened, and my final report on the affairs of the firm cannot be closed until its state has been ascertained.

I have, &c.

(signed) J. Outram, Resident.

Baroda Residency, 27 February 1851.

TRANSLATION of a Yad from his Highness the Guicowar to the Resident, dated 25 February 1851.

A YAD was received from the Residency, dated 27 January 1851, No. 99, stating that a letter has been received from Mr. Malet, chief secretary to Government, to the effect that, pending the settlement of the dispute regarding the shop, &c., of Hurree Bhugtee, the Bombay Government sanction as a temporary measure the arrangement proposed by the Guicowar Government for the maintenance of the two Settanees, but which they consider has not been fixed in accordance with the respectability of the firm. In reply, be it known that the allowance which has now been fixed to the Settanees is greater by $1\frac{1}{4}$ or $1\frac{1}{2}$ more than what they received during the lifetime of Shett Bechurbae. But if the Bombay Government had directed to what extent it should be increased, the same would have been done; but this was not shown, and the sanction was conveyed for the arrangement now proposed by this Government. It was unnecessary for the Bombay Government, on the score of friendship, to mention in an ambiguous way that the Niemoonok fixed for the two Settanees was not in accordance with the respectability of the firm. As such is the opinion of the Bombay Government, this Government has no desire to interfere in effecting any settlement regarding the "house expense" of the firm of Hurree Bhugtee. The Bombay Government further writes, that whatever goomashta be appointed to conduct the affairs of the shop, he should furnish good security for the same; but this Government do not wish to appoint any one in that firm. The elder widow of Bechur Samul, mother of Purshotum Bechur, has got Peetamber, the son of Shewlall, who was formerly moonim, to manage the business of the firm. But, agreeably to the orders of the Bombay Government,

Government, he will be told to furnish security. But as the shop of Hurree Bhugtee is great, whose credit exceeds a "crore" of rupees, it is requested to know to what amount security should be taken from him; when, after communicating with him, the result will be made known. The keys of the "jamdar khana" were entrusted to Baba Nafra by Bechur Baee, and which are now with him. Baba was therefore directed to make over the said keys to the Settanee, and also to make her acquainted with all the money and things belonging to the shop, but he would make no reply. As the marriage of Purshotum Bechur is drawing near, the goomashtas constantly ask for the keys of the "jamdar khana." Therefore, whatever arrangement this Government consider as best in this matter, the same is made known to the Resident on the score of friendship, viz.: That Gopal Row Myral, Moteelall Samul, the fathers of the two Settanees, and the kamdar of the Uddalut, if not, Meer Sufraj Allie, the kamdar of the Uddalut, and the fathers of two Settanees. Should this not be approved, then the Sirkar's kamdar and the fathers of the two Settanees, in the presence of these persons and those of the goomashtas, the current "jamdar khana" should be examined, and the necessary arrangement made. It should not be considered that, by examining this, the smaller "jamdar khana," it would affect the credit of the shop, as there is another large "jamdar khana" which cannot be opened, unless under great emergency; over which a guard of sepoy has continued from the first. So the goomashta states, and there is no occasion to examine this "jamdar khana." The Settanee had directed Baba Nafra that he should conduct the business of the shop with the aid of Dulput Keshow, Bappoojee Kooburdas, Bhaeejee Bhowanee, and Damodhur Doolub; this he would not do, but he discharged three of them, and carried on the business of the current "jamdar khana" on his own authority, and the Settanee has doubts whether the things which she had kept therein are now there or not; consequently, agreeably to the wish of the Settanee, they should be examined and made over to her. After taking the above matters into consideration, should there be any doubt, it is the desire of this Government that it be informed of it on the score of friendship.

(True translation.)

(signed) *S. Whitehill,*
Officiating Assistant Resident.

— No. 52. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

I AM of opinion that a general security given by one of the principal firms at Baroda would be most satisfactory; if this is not obtainable, such amount as the Resident and Durbar may agree on will be sufficient.

The inspection of the smaller treasury, under the control of a respectable committee, appears judicious.

(signed) *Falkland.*
J. P. Willoughby.
D. A. Blanc.

11 March 1851.

(True copy.)
Chief Secretary.

— No. 53. —

No. 1,186 of 1851.—Political Department.

From *H. E. Goldsmid*, Esq., Secretary to the Government of Bombay, to
Lieutenant-colonel *J. Outram*, c. B., Resident at Baroda.

No. 2,054.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 27th ultimo, No. 38, and to inform you that the Right honourable the Governor in Council is of opinion that the most satisfactory security the managing goomashta of the firm of Hurree Bhugtee could give, would be the general security of one of the principal firms at Baroda. If this be not obtainable, such monied security as the Durbar and yourself may agree on as sufficient should be required.

2. I am at the same time desired to observe, that the inspection of the smaller treasury of the firm, under the control of a respectable committee, appears judicious.

I have, &c.
(signed) *H. E. Goldsmid,*
Secretary to Government.

Bombay Castle, 19 March 1851.

(True copies.)
(signed) *A. Malet*, Chief Secretary.

14.

Collection No. 4 of No. 91, Bombay Political Department,
Letter from, dated 3 December 1851.

Complaint by the Nephew of Baba Nafra, late Moonim of the Firm of Hurree Bhugtee,
of Ill-treatment of his Uncle by his Highness the Gaekwar.

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— No. 1. —

Extract Bombay Political Consultation, 8 January 1851.

PETITION from Ramchunder Vishnoo, Nephew of Baba Nafra, in behalf of Baba Nafra, late Moonim of the Firm of Hurree Bhuktee, at Baroda, to the Right Honourable Lord Viscount *Falkland*, Governor, and President in Council.

No. 51.

Respectfully sheweth,

THAT Vamonrow Venkutesh, *alias* Baba Nafra, has been subjected to most harsh and cruel treatment by his Highness the Guicowar's government, and he is now confined in gaol at Baroda, heavily ironed, and in so small space as not only seriously to endanger his health, but to cause apprehension for his life. Your petitioner therefore most humbly begs to solicit the attention of your Lordship in Council to his uncle's most distressing case, in the hope that before confirming or permitting the continuance of this punishment, your Lordship in Council will have satisfactory and undeniable proof produced of its justice and expediency.

2. Bechurbhaee Samuldass, of the banking firm of Hurree Bhuktee in Baroda, which enjoys the guarantee of the British Government, appointed Baba Nafra as his moonim; and a month before his death the said Bechurbhaee placed a memorandum of the distribution of his wealth and affairs, with his signature attached thereto, in the hands of Baba Nafra, and since that period the business of the firm has been conducted by the said Baba Nafra.

3. Certain charges of heavy criminality on the part of Baba Nafra having been brought against him by Joitabhaee, the widow of the late Bechurbhaee, who falsely pretended that she was *enceinte* at her husband's death, and was afterwards delivered of a child; the matter was fully investigated by a punchayet, under the orders of the late Guicowar, and Baba Nafra was fully and honourably acquitted of every part of the accusation, and the attempt on the part of Joitabhaee to commit a gross fraud on the family was exposed.

4. Some months back Bhawoo Tambakur, well known to be Baba Nafra's great enemy, contrived, through the hostility and dislike of the Resident, Colonel Outram, to Baba Nafra, to induce the Guicowar to direct a re-investigation of the case; which investigation, however, was entirely one-sided, and conducted in the most unfair manner; and the persons appointed to judge thereon, as a punchayet, were selected from the notorious and inveterate enemies of Baba Nafra, and one of them was largely indebted to the firm; and your petitioner's uncle was not allowed any opportunity of cross-examining the witnesses, or defending himself in any way whatever.

5. By the punchayet appointed to this arbitrary and despotic inquiry, and, on the most false and perjured testimony, got up by Baba Nafra's enemies, he has been sentenced to seven years' confinement, to be expelled the country afterwards, and to pay a fine of 15,000 rupees; and this sentence has, as your petitioner understands, been sent to your Lordship in Council for confirmation; and his wife and three sons, and their wives, have all been placed and are now in the most close and rigorous confinement.

6. The investigation was commenced and conducted with no intention of doing justice, but for the express purpose of ruining your petitioner's uncle, and of destroying him and his family, as will be apparent, if your Lordship in Council will order the several documents of the punchayet who made this last inquiry to be forwarded to Bombay; and your honourable Board will see that even then the punchayet were ashamed to go further than to say that "there was a suspicion of Baba Nafra being guilty."

7. Your petitioner therefore most respectfully claims the protection of the British guarantee for his uncle and family, and who, being under restraint, can present no application to the British Government themselves; and your petitioner earnestly prays that a commission may be appointed to investigate the

case at the British Residency, if it is considered that the former investigation made in the time of the late Guicowar is insufficient to establish the innocence of Baba Nafra.

8. Your petitioner asks for no favour or partiality to be extended to his uncle, but only a full and fair inquiry; and that the punchayet may not be composed of his notorious personal enemies, who wish to get him out of the way.

9. Your petitioner further takes the liberty of soliciting your Lordship in Council to cause the immediate release from confinement of the innocent family and relatives of Baba Nafra, as not even a suspicion of criminality attaches to them; and their imprisonment is the mere result of malice towards Baba Nafra, and to prevent his family making any stir on his behalf.

10. It is humbly requested that the reply may be sent to Assaram Bhugwan, at Nagpara, Bombay.

And your petitioner, as in duty bound, will ever pray, &c.

(signed) *Ramchunder Vishnoo*,
Nephew of Vamonrow Venkutesh,
alias Baba Nafra, of Baroda.

Bombay, 21 December 1850.

— No. 2. —

No. 24 of 1851, Political Department.

No. 52. From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to Lieutenant-colonel *Outram*, C. B., Resident at Baroda.

Sir,

I AM directed by the Right Honourable the Governor in Council to refer, for your report, the accompanying copy of a petition from Ramchunder Vishnoo, dated the 21st ultimo.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 3 January 1851.

— No. 3. —

No. 170.

PETITION from Ramchunder Vishnoo, Inhabitant of Baroda, for and on behalf of his Uncle, Baba Nafra, late Moonim to the Firm of Hurry Bhucktee, to the Right Honourable Lord Viscount *Falkland*, Governor, and President in Council.

Most respectfully sheweth,

THAT since the presentation of the former petition to your Lordship in Council on the 21st of December last, your petitioner has received intelligence of the continued very serious indisposition of his uncle, Baba Nafra, and that his life is despaired of.

2. Under these circumstances, your petitioner most urgently entreats your Lordship in Council to cause instructions to be issued to the Resident to supplicate his Highness the Gaekwar for some slight remission of the very heavy punishment your petitioner's uncle, Baba Nafra, is now suffering; and further, your petitioner most urgently and respectfully solicits your Lordship in Council to order that the very heavy chains with which his uncle is manacled may be removed, and that some slight leniency may be shown to him during his severe and dangerous illness.

3. Your petitioner earnestly hopes that your Lordship in Council will not delay complying with the request of your petitioner, as in that case it may be that his uncle may not be alive to avail himself of the clemency and justice of the British Government.

And your petitioner, as in duty bound, will ever pray, &c.

(signed) *Ramchunder Vishnoo*,
Nephew of Baba Nafra, now residing in Bombay,
without the fort walls, in the house of Asharam
Bhugwan Nagpara.

Bombay, 7 January 1851.

— No. 4. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

COPY of this petition should be immediately sent to the Resident at Baroda, with an intimation that Government desire that, pending the review of this case, Baba Nafra should not be exposed to any unnecessary hardship or rigour.

He is entitled to so much interference on our behalf in virtue of the guarantee held by the firm, of which he was the managing agent.

And Lieutenant-colonel Outram should be informed that we have for some time past been expecting his report on Baba Nafra's conduct connected with the case of the widow Joetabhaee.

(signed) *Falkland.*
J. Grey.
J. P. Willoughby.
D. A. Blane.

8 January 1851.

(True copy.)

Chief Secretary.

— No. 5. —

No. 96 of 1851, Political Department.

From *A. Malet, Esq.*, Chief Secretary to the Government of Bombay, to
Lieutenant-colonel *J. Outram, c. b.*, Resident at Baroda.

No. 172.

Sir,

I AM directed by the Right Honourable the Governor in Council to transmit to you copy of a petition from Ramchunder Vishnoo, dated the 7th instant, stating that his uncle Baba Nafra is seriously indisposed, and soliciting the interference of Government in obtaining for him some alleviation of his present alleged rigorous imprisonment.

2. In forwarding this petition, I am instructed to inform you, that pending the review of this case, it is the desire of the Right Honourable the Governor in Council that Baba Nafra should not be exposed to any unnecessary hardship or rigour; he being entitled to so much interference on the part of Government in virtue of the guarantee held by the firm of which he was the managing agent.

3. I am at the same time desired to state that Government has for some time past been expecting your report on Baba Nafra's conduct, connected with the case of the widow Joitabhaee.

I have, &c.
(signed) *A. Malet,*

Bombay Castle, 8 January 1851.

Chief Secretary.

PETITION from Ramchunder Vishnoo, Inhabitant of Baroda, for and on behalf of his Uncle, Baba Nafra, late Moonim to the Firm of Hurry Bhukhtee, to the Right Honourable Viscount *Falkland*, Governor and Resident in Council.

Most respectfully sheweth,

THAT your petitioner has learnt with the greatest surprise and consternation that on its becoming known at Baroda that your petitioner had addressed your Lordship in Council, on the subject of the imprisonment of his uncle, Baba Nafra, and other relations at Baroda, and on the prayer of his petition becoming generally known at that place, his Highness the Guicowar's government, acting, as he believes, under the malicious and evil advice of one Bhawoo Tambaker, and the family of the shastrees (both of which parties are largely indebted to the firm of Hurree Bhucktee, and who were repeatedly called upon for a settlement of their debts, when Baba Nafra was Moonim of that firm, and hence have great enmity towards him), and under threats used towards Mahaluxmeebaee (who has become a party against Baba Nafra) has ordered, that the imprisonment, not only of Baba Nafra, but also that of the whole family, be much more rigorous and close than heretofore; and

further, that it has been ordered that every means devisable be used to induce your petitioner's relatives to disavow their connexion with, or authority conveyed to, your petitioner, Ramchunder Vishnool, to act for and on behalf of his uncle.

2. And further, that threats, entreaties, and force are being exercised towards Baba Nafra and his relations and connexions, and that the authority of the British Government has been held up to scorn, and become a laughing-stock at Baroda, inasmuch as it is believed by your petitioner that it has been declared and caused to be rumoured throughout the city of Baroda, that your Lordship in Council has no authority to interfere or interpose in this case, and that neither your petitioner's uncle, Baba Nafra, nor his relatives or connexions, have any claim to the protection of the British Government, or that of your Lordship in Council.

3. Under these very distressing circumstances, your petitioner has felt himself again necessitated thus early to address your Lordship in Council, and to implore that some immediate relief be afforded to his uncle, Baba Nafra (who it is believed is at the point of death), and his relations, previous to your Lordship in Council giving a decision on his your petitioner's Ramchunder Vishnool's petition of the 21st of December 1850.

And your petitioner, as in duty bound, &c.

Bombay, 16th January 1851.

(signed) *Ramchunder Vishnool.*

— No. 6. —

Extract Bombay Political Consultation, 5 February 1851 (No. 16 of 1851).

No. 784.

From Lieutenant-colonel *J. Outram*, c.B., Resident, Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

Political Department.

I HAVE the honour to acknowledge the receipt of your two letters, dated 3d and 8th instant, No. 24 and 96, forwarding petitions from Ramchunder Vishnool, dated 21st ultimo, and 7th instant, on behalf of his uncle, Baba Nafra, the former representing that the crime of which the said Baba Nafra has been convicted has been unjustly established by a partial court, the latter representing "the serious indisposition of his uncle, Baba Nafra, and that his life is despaired of."

No. 1.

2. On receipt of the first petition, I forwarded a translation thereof to the Durbar for his Highness's explanation, translate of whose reply, dated yesterday, is herewith transmitted (No. 1); and on obtaining the second, I immediately despatched my native agent to the Durbar with a request to be permitted to visit the prisoner, the native agent's report of his interview with whom is also appended (No. 2.)

No. 2.

3. From these documents it will be observed by Government, that while several of the allegations made by the petitioner are literally false, others are substantially so, and all give a representation clearly designed to mislead Government, and by so doing, to induce it to take measures calculated to increase the very mischievous belief in the efficacy of "Khutput made in Bombay," which, I shall ere long have occasion to demonstrate to Government, prevails at Baroda to a very melancholy extent.

4. It might be enough, in illustration of the dishonesty of the petition, to refer to the gross untruths of which he is guilty, in asserting that while Baba Nafra is subjected to excessive and unusual severities, "his wife, three sons, and their wives, have all been placed, and are now in the most close and rigorous confinement." Far from this being the case, as his Highness's yad shows, the Baba has, in virtue of his caste and former position, received indulgences of which neither his past character, nor the crimes of which he has been convicted, entitle him; and his wife, and sons, and daughters-in-law are not prisoners in any sense of the word, their movements being as perfectly unimpeded as ever they were. All that has been done is to prevent any of the property of the establishment of the firm of Hurree Bhugtee being removed, pending an investigation into a defalcation in the accounts of the house to the extent of about four and a quarter lacks of rupees. This subject I shall at some future period have occasion to bring under the notice of Government; as it is, an official complaint has been lodged by the elder widow of Bechur Samuldass, on the subject

of

of the misappropriation of this large sum, regarding which Baba Nafra refuses to give any information whatever; and respecting the motives and expectations on which the Baba pertinaciously declines to account for the monies thus irregularly disposed of. I may have occasion hereafter to address Government with a view to induce it to adopt effectual measures for procuring justice to the defrauded widows of the aforesaid deceased banker.

5. In opposition to the statement made by the petitioner to the effect that the punchayet, by which Baba Nafra was tried, was composed of his enemies, it will be my duty to afford to Government most painfully satisfactory evidence that the punchayet in question consisted of personal friends of the Baba; and that its proceedings were conducted in the spirit of the purest partiality and partizanship. I shall have occasion to show that it slurred over testimony the most convincing and unexceptionable; that in its finding it ignored two forgeries procured by Baba Nafra against Joiteebae Setanee and her father, which were established by the most complete legal evidence, and the recognition of which would have compelled it to find the Baba guilty on each of the counts of his indictment; that it took no notice of the most barefaced contradictions on the part of the witnesses adduced in behalf of the Baba; and that while, when the interests of the accused were to be promoted by importing into the court's proceedings, *ex parte* depositions taken and dictated by Baba Nafra himself four years ago, with a view to justify his proceedings to his own sovereign, through the first punchayet these depositions were so imported; other depositions taken at the same time, under the same influence, and for the same object, but which could not stand the scrutiny of a British judge, were kept out of sight, and were only discovered by me to have been thus suppressed by the internal evidence of their suppression afforded by the court's proceedings, and by information communicated to me by parties whom it is needless to name.

6. It shall be my duty to show, and that too in the clearest manner, that the adoption of the cause above indicated was, and could only have been, designed to give the punchayet something like an excuse for expressing a doubt as to Joitabae Setanee ever having been delivered of a son, and therefore something like an excuse for returning a verdict of "not proven" in reference to the greater crime with which the Baba stood charged. It shall be my duty to demonstrate, by evidence which would be deemed most conclusive in Westminster Hall, evidence legally and medically satisfactory, that Joitabae Setanee was delivered of a son, and that, therefore, Baba Nafra was guilty of one of the most heinous offences known to Hindoo law—the forcible abduction of a Brahminy child.

7. Even as it is, the partial punchayet by which he was tried, found him guilty of one foul conspiracy against his late master's widow; that by which he trumped up a story of her having purchased a child from the Meetapoor Kolies. This story they have decided was concocted and sustained "by the liberal outlay of money, Baba Nafra having caused a false deed to be written, thereby plotting against the Setanee, abusing the confidence placed in him by his employer, and making use of the same false deed."

8. True, as I have said, the punchayet, by evasions which I shall fully expose, had decided that the birth of Joitabae's child was not clearly proved; but as it was in evidence before them that at the death of her husband, the late Bechur Samuldass, Joitabae had declared herself pregnant, they found themselves constrained to determine that the said Bechur Samuldass, "having placed unlimited confidence upon, and having entrusted the whole management of his pecuniary and private affairs to Baba Nafra," that individual was guilty of having "for the accomplishment of some nefarious end *** omitted to institute such inquiries as to the truth or otherwise of the Setanee's statement; and having allowed the name of his employer by such omission on his part, to be scandalized and disgraced among the people, he has been found guilty of the commission of a great crime."

And though the punchayet, on the ground that the pregnancy and delivery of Joiteebae were matters of doubt, returned a verdict of "not proven" on the charge of abducting a Brahminical child, they were constrained by the very nature of that verdict to admit that the boy in question "having been delivered" to the Amleeara Kolie without measures "having been taken to ascertain

whether he was actually the son of the Kolie to whom he was delivered," Baba Nafra "was guilty of an unmerciful and brutal act," one for which the Vyas prescribes deprivation of the hands and feet, and exhibition on the public highway, a penalty which the Shastrees commuted into a pecuniary mulct, Baba Nafra being a Brahmin, and therefore exempted from corporal punishment.

10. The verdict returned against Baba Nafra, I pledge myself to prove, by evidence which must be satisfactory to Government, was only obtained through the most culpable partiality on the part of the punchayet towards the accused; and by the devices I have alluded to in para. 4, and the sentence* (founded on that verdict) under which the Baba lies, being thus necessarily utterly inadequate to promote the ends of justice, to satisfy its just claims, and to vindicate its outraged dignity, I sincerely trust that Government will so far defer to my position and judgment as to abstain in the mean time from any further interposition in behalf of a great criminal, whom on the 13th of July 1843, they themselves officially denounced, and prohibited against being ever again permitted to approach the residency, whom they have themselves convicted of practising an enormous extortion, to the extent of nearly three lacs of rupees, against an individual enjoying the British protection; whom (though they took no notice of the circumstance), I adduced evidence to prove guilty of a crime equivalent to forgery, viz. the substitution of one document for another, with felonious intent; whom I have shown to have been not satisfied with corrupting the native subordinates of my establishment, but to have aspired to bribe Mr. Reid, late Member of Council, and who, as Government are aware, not only despatched an emissary to Bombay, invested with full bribing powers, and specially commissioned to operate on Mr. Reid, but sought and obtained the intermediate agency of servants employed in Government offices at the Presidency—aye, even in the Secretariate itself.

11. As the proceedings in the case of Joitabae Setanee have now extended over a period of four years, as the documents made use of by the punchayet range over a like period; as the perjuries and frauds committed have rendered the case an intricate one; and as the conduct of the punchayet by which the Baba was tried have vastly, and I believe designedly, added to that intricacy, the task of methodizing the facts and features of the case, of calculating and weighing the evidence, of exhibiting the harmonies of that evidence, and of exposing its discrepancies, is necessarily an arduous one; but it is one which I feel it my imperative duty to discharge, and to discharge to the very best of my ability, for the case of Joiteebae is one involving far higher and more extensive interests than those of that lady, or of the miserable man convicted of having conspired against her. It is a case involving great and paramount principles, as I shall demonstrate at full length in the memoir on Khutput, now under preparation. For in that memoir I shall show that the past history of Joiteebae's case, as well as the past history of Baba Nafra, have conveyed to the minds of the people of Guzerat impressions most unfavourable, to quote (from memory) the words of Mr. Lumsden's circular, "to a conviction of the justice of the system under which they are governed."

12. Such being the case, I am certain that Government must necessarily be most anxious that my report on Joiteebae's case should be as complete as possible; and they cannot but desire it to be so lucidly arranged, that when, as I have every reason to believe will be the case, Baba Nafra or his friends hereafter endeavour by casuistical pleas, by misrepresentation of facts, and by additional subornation of perjury to procure a mitigation of his punishment, Government may be enabled at once, and satisfactorily, to test the value of such attempts, attempts which if successful, would still further tend to increase that belief in the efficacy of khutput, which Government have professed themselves so anxious to eradicate.

13. No unnecessary delay will, however, be allowed to occur in transmitting to Government the proceedings of the punchayet, and my report thereon. But
I deem

* The aggregate punishment for all three offences, being only seven years' imprisonment in irons, and a fine of 15,500 rupees.

I deem it my duty to inform Government that these proceedings were not sent to me till the 22d October; that the extraordinary nature of the punchayet's conduct rendered it absolutely necessary that I should place myself in communication with the Durbar, to elicit documents and facts which the punchayet had suppressed; that some of my communications are even yet unanswered; and that in addition to Joiteebae's case, I have others on hand, like hers, important, voluminous, and intricate.

14. In conclusion, I have only to observe a misrepresentation of the petition now under reply, which I see has escaped the notice of his Highness. It is that Baba Nafra was tried behind his back, and that no opportunity was afforded him of cross-examining the witnesses, or defending himself* in any way whatever. This I find to be a gross and deliberate falsehood in letter and in spirit.

* Thus underlined in the original.

I have, &c.

(signed) J. Outram, Resident.

Baroda Residency, Camp Dubka,
17 January 1851.

(No. 1.)

TRANSLATION of a Yad from his Highness the Guicowar to the Resident, dated 12 Rubil Awul Soorsun 1251 (A.D. 16 January 1851).

A YAD was received from the residency, dated 8 January 1851, No. 25, forwarding for my information translation of the petition from Ramchunder Vishnoo, in behalf of his uncle, Wamun Rao Venktesh *alias* Baba Nafra, received with Mr. Chief Secretary Malet's letter. In reply I beg to state, that the petitioner not being acquainted with the facts of the case, has written nothing but falsehood in his petition; I shall therefore briefly state that this case was never settled in the time of the late Guicowar, as appears on a reference to the proceedings. His late Highness sent a yad to the residency, dated 7 Zelhay Sumvut 1904 (A.D. 4 November 1848), communicating the opinion of the arbitrators "that an investigation of the case is going on, but that the attendance of Ladbaee is required, after which the result will be reported;" such being the case, petitioner writes to say, that this case, after being first investigated by the punchayet, was decided by the late Guicowar, by which Baba was exonerated of the charges laid against him; upon what grounds the petitioner makes this assertion does not fully appear. Had the petitioner been here the proceedings of the punchayet of that time would have been shown to him, and he would be asked to point out in what way the decision has been made. But petitioner is not here, and it is not the province of this Government to put a stop to his false representations. Petitioner further asserts that great oppression is made on Baba Nafra by this Government, that he is placed in close confinement, "heavily ironed, and in so small a space as not only seriously to endanger his health, but to cause apprehension" for his life. That his (Baba's) wife and three sons, "and their wives, have all been placed in the most close and rigorous confinement." But no sentence whatever of confinement, &c. has been passed against these persons; in this case they are living in their own house. Baba Nafra is kept in a place where usually all persons of character who are guilty of crimes are placed. There is no prohibition whatever from this Government as regards his food and drink. Nafra has not been confined in the place where all the chubootras (criminals) are collectively put together. Petitioner states that, owing to Bhow Tambeykur's enmity towards him, the former induced this Government to cause a partial investigation to be made. But it is to be observed that this case, from the first directed by the Bombay Government to be decided by this Government, accordingly Bhaskur Rao Wittul, and other "Bhandary" people, together with the Kamdar of this Government, investigated the case, and a decision was come to formed on the opinion given by the Shastrees. Such being the case, this Government is surprised to find that the petitioner should write about Tambeyker's enmity towards Baba. It is also stated in the petition, that the firm of Hurry Bhugtee, which enjoys the guarantee of the British Government, appointed Baba Nafra as his moonim; but by a reference to the Bhandary settlement, it will appear whether or not it has reference to Baba as the appointed moonim. After Bachur Samuldass, the heir of the firm is his son, and his two widows, the youngest of whom has a complaint pending, the son being a minor; and the eldest widow has preferred a complaint to this Government regarding Baba Nafra making away with the wealth of the firm; but as he is in confinement, he will not give a proper reply. Such is the conduct of Baba, and I cannot comprehend upon what grounds the petitioner has made his petition; in short, if an inquiry is instituted, and punishment given to the parties for making false representations by the Government of Bombay, a stop at once will be put for the future, and thus save unnecessary correspondence between the two Governments. If such an arrangement be made, it will, at the end, be pleasing to both Governments.

(True translation.)

(signed) S. Whitehill,
Officiating Assistant Resident.

(No. 2.)

TRANSLATE of the Baroda Residency Native Agent's Report.

THIS morning being instructed by the Resident to wait upon Bhow Saheb, and get the Maharaja's permission to see Baba Nafra at the place in which he is confined, and ascertain what oppression he is labouring under, and what circumstances he may wish to make known; also to ask Baba whether the nature of his confinement be in accordance with that usually practised towards convicts imprisoned under the Guicowar Government, or whether any tyranny is being practised towards him; and if any oppression be practised towards him, to ask him to make the same known; having been thus instructed, I called upon Bhow Saheb a little after nine o'clock a.m., where I met Sumbhorram. I informed Bhow Saheb that I wanted to go to Baba Nafra, in the place where he is imprisoned, to which Bhow Saheb replied, that I was at liberty to make any inquiry I desired, but that I should remember that the Sett only had the British Government's guarantee, but that the goomastha had not that indulgence extended towards him; and he further added, that if I entertained such complaints, every goomastha in Baroda would petition the Bombay Government, but that, if I was bent upon going to Baba Nafra, that he would obtain the Maharaja's permission, and a jassood to accompany me there, but that I should take Sumbhooram along with me; to this I replied, that he should send word to the Maharaja and get a jassood, since I was desirous of going to the Baba; upon this Bhicooba Omya was sent to the Maharaj, and jassood was summoned; in the meantime, Sumbhooram had gone to his home, and as some delay took place before he returned, Bhicooba Omya was sent along with me; whereupon myself, Bhicooba, and the jassood proceeded to the "Tape Kanna," where Baba is imprisoned. In this "Tape Kanna" there is an upper story, where Baba was seated upon his bedding; upon seeing him, I asked him what oppressions he was labouring under beyond what was observed towards other convicts under the Guicowar Sirkar's Government; and I further asked him where his wife and family were; to this Baba answered, "My wife and family are at home, and they are subjected to no oppression; that he had been ill before, but that he is now better; but what crime have I been guilty of that I should have irons upon my person, and be imprisoned?" to this I replied, that Maharaj might have acquainted him of his crime; having been informed of which, what was the use of his inquiry about it of me; he then said, "Being a Brahmin, why was he placed in irons?" to this I replied, that he had not been punished to the extent awarded by the Company's regulations for such a crime, and that the Maharaj too had not awarded punishment to him to that extent; to this he replied, "If it lays in yours and Colonel Saheb's power, have my punishment increased." Upon this Bhicooba Omya said to him that when they had formerly come to change his irons, weighing 10 seers, for lighter ones, he would not permit them to do so; and when they proposed to allow him a Brahmin to prepare his food, he objected to have one, but sent for food from his home, therefore what was the Sirkar to do to this? the Baba replied, "Not wishing to have my irons changed I did not consent, and it is not for me to use cooked food; it only now remains for me to die, because the Hurry Bhugtee people have stationed sepahees at my house, to recover from my children the sum of three lacs and 75,000 rupees, and the Maharaj also sanctions their recovering this amount from me, therefore from whence is it to come; and the Hurry Bhugtee people are persecuting my family, therefore nothing remains for me to do but to die;" thus was he saying, upon which I said, if he intended to die for the purpose of not paying his debts, what was the Maharaj to do, and what was the use of his causing false petitions to be made to the Sirkar? After saying so, Bhicooba and I returned to Bhow Saheb, and recounted to him all that had transpired, upon which Bhow Saheb said that, by his permission, the Hurry Bhugtee people had stationed seepahees to guard against the sums plundered by Baba from the firm being carried away from the Baba's house; but that the Baba's wife and children were not prevented from going wherever and whenever they pleased; he said that thus it was. Afterwards, I left and came to the Resident's, and informed him of all the above particulars, and then returned to my house.

(signed) *Soorujram Gungaram,*
Native Agent, Baroda Residency.

Baroda, 12 January 1851.

(True translations.)

(signed) *S. Whitehill,*
Officiating Assistant Resident.

— No. 7. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

As the Resident has satisfied himself that neither Baba Nafra nor any of his family are treated with harshness and cruelty, his further report must be awaited.

(signed) *Falkland.*
J. Greg.
J. P. Willoughby.
D. A. Blane.

28 January 1851.

(True copy.)
 Chief Secretary.

— No. 8. —

No. 475 of 1851.—Political Department.

No. 786.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to
 Lieutenant-Colonel *J. Outram*, C.B., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, with enclosures, No. 16, dated 17th ultimo, reporting that you have satisfied yourself that neither Baba Nafra nor any member of his family is treated with harshness or cruelty, and to inform you that Government awaits your further report on the subject of this individual.

I have, &c.

Bombay Castle,
 1 February 1851.

(signed) *A. Malet*,
 Chief Secretary.

— No. 9. —

Extract Bombay Political Consultation.

No. 27 of 1851. — Political Department.

From Lieutenant-Colonel *J. Outram*, C.B., Resident at Baroda, to
A. Malet, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to transmit, for the information of the Right honourable the Governor in Council, translation of a yad received from his Highness the Guicowar, dated 29th ultimo, in reply to one I addressed to the Durbar, communicating the purport of the petition of Ramchunder Vishnoo, dated 16th, and forwarded by you on the 21st ultimo.

No. 1.

2. At the same time I beg to submit the reply of the Durbar, under the same date, to another yad which I had addressed to his Highness, pointing out the omission of any notice of the allegation, in a former petition from the same party, that his uncle, Baba Nafra, had not been confronted with or allowed the opportunity of cross-examining the witnesses on his late trial, showing that that portion, like all the rest of the petitioner's representations, is false.

No. 2.

3. I take this opportunity of correcting a mistake which I find I had unwillingly made in my former reply to the petition of this individual. I therein stated, that the object of the unfair proceedings of the punchayet which tried Baba Nafra, was to save him from the extreme penalty assigned by the Shastrees for the abduction of a Brahminical child. I was led into this error by the supposition that Joitabae Settanee's family are of the same caste as their late goomasta, Baba Nafra, but I have since ascertained that they are of the Veasalar Wane caste.

4. This mistake on my part, however, in no way affects the features of the case, and in no degree requires any modification of the view expressed in my letter of the 17th ultimo. Had the punchayet as distinctly convicted Baba Nafra of abducting a "Veessalar Wanee child, as of the other heinous crimes charged against him, they would have rendered him amenable to the highest punishment that can be inflicted on a Brahmin. That it was their duty to find him guilty of the offences referred to, I shall demonstrate to the complete satisfaction of Government, and in doing so it will be my duty to expose the wilful and deliberate falsehood of the petitions addressed to Government in respect of the alleged hostility to Baba Nafra of the court by which he was tried, by exposing the disingenuous devices by which they sought a pretext for delivering the very partial and improper judgment, in consequence of which the Baba has escaped receiving his deserts.

5. As regards the alleged influence exerted over Mahaluxumeebaee, I have merely to observe, that not only do I believe the allegation a gross, deliberate, and insolent falsehood, but that as it shall be my duty to demonstrate, the guilt of Baba Nafra is enhanced to a degree that must shock Government by the disgraceful frauds committed by him against Mahaluxumeebaee; frauds had recourse to with a view to sustain his conspiracy against Joitabae Settanee.

6. There is only one truthful assertion in the petition now under notice, that, namely, to the effect that the British Government has been held up to scorn at Baroda. Such, I regret to say, is undoubtedly the case; not, however, as the petitioner alleges, from its being "rumoured throughout the city of Baroda that his Lordship in Council has no authority to interfere or interpose in this case," but from the friends of the Baba, industriously promulgating that that individual's influence at the Presidency will secure for him a mitigation of the very inadequate punishment awarded to him by the punchayet; and absurd as the supposition is, and indicating though it does, a total ignorance of the British character, and of the purity and inflexibility of British justice, Government can hardly wonder that it finds acceptance amongst a body of men whose faith in the efficacy of khutput is of long standing and deeply rooted, and who, as I have before had occasion to say, fancy they can trace in Baba Nafra's past career, an illustration of the efficacy of khutput.

7. In conclusion, therefore, beg with unfeigned respect to reiterate the request made in my letter of the 17th ultimo, that Government will abstain from making any interposition in favour of a man whom they themselves, on the 13th July 1843, branded as infamous, one whom I pledge myself to prove guilty of everything I have advanced against him in this case, until they receive my report. That report would have been concluded ere this, had not certain recent discoveries compelled me to recast the greater portion of it, and to take advantage of the Judicial Commissioner being here to ask him to favour me by stating whether in his opinion the documents and proceedings, in the case which I have placed before him, contain that internal evidence of fraud and untrustworthiness which they appear to me to do.

8. I am aware that this is rather an unusual course to pursue, but the case is one of such importance and peculiarity, that I am naturally desirous of availing myself of every means by which to arrive at a correct conclusion, and to place the case in its true colours before his Lordship in Council. Mr. Grant's very long judicial experience may possibly enable him to point out circumstances that have escaped me, others to which I may have given too much weight, or to suggest something that in justice to the accused I should have done, or should still do, before submitting the case, with my opinion on it, to Government.

I have, &c.

Baroda Residency,
5 February 1851.

(signed) J. Outram, Resident.

No. 1.

TRANSLATE of a Yad from his Highness the Guicowar to the Resident, dated the 26th Rubbil Ahvul Soorsun 1251, Post Sumvut 1907 (29 January 1851).

IN a yad received from the Resident, No. 96, dated the 25th instant, it is stated, "Ramchunder Vishnoo, Baba Nafra's nephew, having petitioned the Bombay Government in English, translate of such petition in the Mahratta language is herewith transmitted for your information." And in reply be it known, that having perused the translate transmitted,

mitted, it appears to be very extraordinary, since in this document it is stated "consequent upon the oppression Baba Nafra and his family had been subjected to, I having petitioned the Bombay Government upon this subject; upon the same becoming known at Baroda, Bhow Tambakur and the Shastree commenced oppressing the above-named Baba Nafra and his family the more, and that both the above-named parties have been instigated to this consequent upon the Baba having urged them to settle the pecuniary demands which obtain against them from the firm of Hurree Bhugtee, and that the Maharaj had directed that my family be advised to say that they have no connexion with me whatever in the petition I had presented on behalf of Baba Nafra, &c.;" thus it being stated in the above petition, be it known that it is true that the Shastree is indebted to the firm of Hurree Bhugtee, and this claim is at present impending before the Bombay Government, consequently it was quite out of the power of Baba Nafra to have pressed the Shastree for payment of such demands, and this is well known to the Bombay Government; and as for the allegations advanced against Rajeyshree Bhow Tambakur, regarding the debts due by him to the firm, it should be ascertained whether such dealings obtained during the lifetime of the Settjee, or during the time the Settjee was in charge of the affairs of the firm; and at what time the Baba had pressed Bhow Tambakur for payment of such demands. And with reference to the aspersions contained in the above petition, it should be ascertained what further oppression the Baba had been subject to, what acts of oppression as complained of as having been exercised towards the family of Baba Nafra from the commencement by this Sirkar, and the particulars of the order said to have been given by the Maharaj that the family of the petitioner should be advised to deny having had any connexion with the petitioner in the petition presented; and as the said Ramchunder Wishnoo, the petitioner, must be in possession of the whole of the above information, he should be called upon at once to submit the whole of the above in detail, when it will appear whether the petition had been drawn up agreeably to the facts of the case, or whether it had been prepared and presented with the view of scandalising the name of other parties; and the Sirkar desires that if such information be supplied, that the same be furnished for his information; and owing to the friendship between us, you are informed that in the first instance the case of Joitabae Settanee was being investigated by Meer Surfraz Allie and Rajeshree Gopal Rao Myrall, and consequent upon the Settanee Joitabae having represented things as she pleased before the Bombay Government, questions and answers transpired between the two Governments; and recently Bhasker Row Wittul, Bheemushunder, Ghungudhur Gopal Row Myrall, Chooneelall Lulloobhaee, Narrain Row Mhadeo Majmoodar, and Bappoo Shastree, and other reputed Shastrees belonging to the city, being appointed to investigate this affair, they having come to a final conclusion upon the subject, and at present, consequent upon Ramchunder Wishnoo, having petitioned, a further correspondence between both the Governments has been set agoing, therefore, without arriving at anything useful, the trouble of having further correspondence carried on, agreeable to the desire of the petitioner, will only result; and consequently this Sirkar feels unhappy; because the Sirkar's Kamdar and the Shastree are parties indispensably necessary for conducting the judicial cases at this place; and since the above functionaries have been treated with disrespect and accused falsely, it is necessary that measures be adopted to put down such unwarrantable practices by the supreme power, and which occasionally are adopted by this Sirkar. Such being the case, Bombay Sirkars should take into consideration, and render their support to such equitable measures. And this Sirkar entertains the hope that the above will be brought to the knowledge of the Bombay Government by the Resident.

No. 2.

TRANSLATE of a Yad from his Highness the Guicowar to the Resident, dated the 26th Moon of Rubbeel Ahwul Soorsum 1251, Post Sumvut 1907 (A.D. 29 January 1851).

IN a yad received from the residency, dated the 24th January 1850 (No. 87), it is stated "that Wamon Row Venktesh, *alias* Baba Nafra's nephew, has petitioned the Bombay Government, and in the fourth para. of such petition it is stated that his uncle had not been permitted to be present at the inquiry in this matter; and as no explanation in this point has been given by his Highness the Guicowar in his yad upon this subject, it is requested that such explanation be furnished in writing." In answer, be it known, that at the time the deposition of the Meetapoor people, Lulloo Bhugwan and others,* were being taken at the Huzoor, Baba Nafra was present; and after each of the depositions were taken, Baba Nafra was asked whether he had any questions to put to such deponents, and he replied that he had no questions to put; subsequently he was informed, "the Meetapoor people deny in your presence having brought the child, but your statement is different, and yet you say that you have no question to put to the above witnesses. Consequently it is evident that the deposition you had given was rankly false;" and after this he commenced cross-examining the Meetapoor people, but he did not put any questions to Lulloo Bhugwan, but said that he possessed information upon certain points, upon which subsequently Lulloo Bhugwan was interrogated, and the depositions of the above parties have been brought upon the proceedings in this case, these proceedings have been sent to the Resident. And upon referring to the depositions in those proceedings, the Resident will become satisfied that the deponents had been interrogated agreeable to the wishes of the Baba, by this Sirkar.

* Not Meetapoor or people.

(True translation.)

(signed) J. Outram, Resident.

— No. 10. —

Extract Bombay Political Consultation, 16 July 1851.

No. 5,492.

PETITION from Ramchunder Vishnoo, Nephew of Baba Nafra, in behalf of Baba Nafra, late Moonim of the Firm of Hurree Bhugtee.

To the Right Honourable Lord Viscount *Falkland*, Governor and President in Council, &c. &c. &c., Bombay.

Respectfully sheweth,

THAT your petitioner presented his humble petition to your Excellency in Council on the 21st December last, and three others subsequently, but he is sorry to say he has not yet received any reply thereto.

Your petitioner most respectfully claims the protection of the British guarantee for his uncle and family, and earnestly prays that a commissioner should be appointed to investigate the case; and as William Frere, Esq., is now at Baroda, inquiring into another matter, your petitioner earnestly begs that that gentleman may be directed to inquire into the charges against your petitioner's uncle, in case the inquiry made in the time of the late Guicowar is insufficient to establish the innocence of Baba Nafra.

Your petitioner asks for no favour or partiality to be extended to his uncle, but only a full and fair inquiry, and that to be conducted by a disinterested and dispassionate tribunal, and not by a committee composed of his notorious personal enemies who wish to get him out of the way.

Your petitioner further takes the liberty of soliciting your Excellency to direct measures to be taken for the release from confinement of the family and relatives of Baba Nafra, who have been unjustly confined without cause.

Your petitioner does not know why the British Government have not given a reply to his previous petitions, but this Government have right to interfere in this matter, and had the Baroda Government decided the case of your petitioner's uncle justly, your petitioner would not have troubled himself to apply to your Excellency in Council for justice.

Under these circumstances, your petitioner trusts that, as for nearly six months past, he has presented several applications on the part of his uncle without receiving any reply, your Excellency in Council will be pleased to give an answer to his petition, and to direct justice to be done to his uncle and family, by appointing Mr. Frere a commissioner to inquire into and report on the charges against them.

And your petitioner, as in duty bound, will ever pray.

Bombay, 2 July 1851

(signed) *Ramchunder Vishnoo.*

— No. 11. —

No. 5,493.

MINUTE by the Honourable Mr. *Blane*.

PETITIONER may be informed, through the Resident at Baroda, that Government does not at present see any cause for interference.

5th July 1851.

(signed) *D. A. Blane.*

— No. 12. —

No. 5,494.

MINUTE by the Honourable Mr. *Bell*.

I WOULD much rather inform the petitioner that it is not customary to receive petitions excepting from the party aggrieved.

7 July 1851.

(signed) *A. Bell*

I agree with Mr. Blane in this instance.

(signed) *A. Bell.*

— No. 13. —

No. 3,054 of 1851.—Political Department.

From *A. Malet*, Esquire, Chief Secretary to the Government of Bombay,
to Lieutenant-Colonel *J. Outram*, c. B., Resident at Baroda.

No. 5,495-

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you copy of a petition from Ramchunder Vishnoo, dated the 2d instant, and to request that you will be pleased to inform the petitioner, who has been referred to you, that Government does not at present see any cause to interfere in his behalf.

I have, &c.
(signed) *A. Malet*, Chief Secretary.

Bombay Castle, 12 July 1851.

— No. 14. —

No. 3,055 of 1851.

From *A. Malet*, Esquire, Chief Secretary to the Government of Bombay,
to *Ramchunder Vishnoo*, Bombay.

No. 5,496-

I AM directed by the Right honourable the Governor in Council to refer you to the Resident at Baroda for a reply to your petition, dated the 2d instant.

By order, &c.
(signed) *A. Malet*, Chief Secretary.

Bombay Castle, 12 July 1851.

— No. 15. —

PETITION from Ramchunder Vishnoo, Inhabitant of Baroda, and at present residing in Bombay, for and on behalf of his uncle, Vamunrao Venkutesh, commonly called Baba Nafra, the late Moonim of the firm of Hurry Bugtee of Baroda.

No. 9,509-

To the Right Honourable Lord Viscount *Falkland*, Governor and President in Council of Bombay.

Most respectfully sheweth,

THAT your petitioner has addressed several petitions to your Lordship in Council, entreating the protection of the British Government for his uncle Baba Nafra, who, though enjoying the British guarantee, has now for some months been lying in imprisonment at Baroda, under proceedings of the Guicowar Sirkar of a most arbitrary and despotic character.

2. Your petitioner is the only member of the family who has been able to leave Baroda, or who is in a position to make any representation to your Lordship in Council of the circumstances of this case, and he has been anxiously waiting some reply to his several applications, or some alleviations of the close imprisonment under which his uncle and family are now suffering.

3. Your petitioner, in his former memorial, has pointed out the nature and character of the pretended inquiry into the charges against your petitioner's uncle, and that the proceedings were had behind his back, and that he had no opportunity of offering any defence.

4. The persons who sat on that pretended inquiry, were all of them well known enemies of Baba Nafra, and indebted to the firm of which he was the moonim.

5. The charge against your petitioner's uncle was of having made away with a son of his late master, Bechurbhai, of which it was alleged his widow Joitabae was enceinte at the time of his death. Your petitioner would observe, that such an inquiry was, under the circumstances, ridiculous, for, at the time of the pretended birth of the child, it was notorious throughout Baroda, Joitabae could have had no son by Bechurbhai, and many influential persons, including Sir R. Arbuthnot, Bart., then Resident, refused to call at the firm as is usual on the occasions of the birth of an heir, to offer congratulations on the event. The fraud was exposed on a former investigation, conducted under the authority of the late Guicowar his Highness Syajee Rao, and the same could be clearly established again, if a proper investigation were directed by the British Government.

6. Another charge against your petitioner's uncle was that of having made away with 3½ lacs of rupees of the money of the firm of Hurry Bugtee. Your petitioner's uncle has explained satisfactorily the disbursement of the amount, nevertheless the outlay of certain sums, composing an item of 59,000 rupees, mostly spent by Bechurbhae during his lifetime, towards his private expenses, is objected to, and although your petitioner's uncle offered to make good the amount, with interest, should it be proved to have been made away by him, the terms are not accepted, and repeated overtures and promises have been made to him, and purporting to be in the name and with the authority of the Resident, Colonel Outram, that if Baba Nafra says that the above sum of 59,000 rupees was paid to Nursoo Punt, the late native agent and other officers of Government, he shall be released, but your petitioner's said uncle positively denies that the same was so disbursed.

7. Your petitioner has now recently heard from Baroda, and particularly from the wife and sons of his uncle, that still more unjustifiable and arbitrary proceedings have been adopted at the instigation of the present native agent, and of Bhawoo Tambeker and of Joitabae, towards the family and property of Baba Nafra, and that security has been demanded from his three sons for the 3½ lacs of rupees in question, and for the property of the firm of Hurry Bugtee, and that they have been also required to give security for the profits of their own shops, conducted by themselves, in their own names, that is to say, the houses of Narrayen Rao Runsord Kessow Ramjie and Purshotum Runsord, and that as they have failed to do this, they have been removed from their father's house, in which they had been imprisoned with their mother, and have been confined in the Adawlut at Baroda. Your petitioner is also informed by his letters, that Soorujrao, the present native agent, Sumbooram, and Gopalrow Myral, lately went to the shop of Hurry Bugtee at Baroda, and in opposition to the wishes and entreaties of Mahaluxmeebhae, the eldest widow of the late Bechurbhae, and present head of the firm, forcibly broke open the locks of the treasury, and pretended to make lists of the property, with the view of bringing some further charges against, and disgrace upon the late moonim.

8. That the three sons of Baba Nafra have now been removed from the Adawlut to the temple of Shree Wittul, where they are now confined by themselves, and no one is permitted to go near or have any communication with them; and if the interference of the British Government be longer delayed, it is impossible to say what further tyranny may not be practised towards the family through the Baroda Government.

9. Your petitioner, in the 8th and 9th paras. of his petition presented on the 21st day of December 1850, pointed out that he solicited only a fair inquiry, to take place at the British Residency, into the charges against his uncle, and that the innocent relatives of his uncle should be immediately released from imprisonment, no charges having been brought against them.

10. Your petitioner now again urgently entreats your Lordship in Council, that inasmuch as Baba Nafra and his family are entitled to the British guarantee, your Lordship will be pleased to order the immediate release of the sons of Baba Nafra, and the withdrawal of all guards and restrictions from his family; and that Baba Nafra himself may also be set at liberty, upon his giving security in any amount Government may think proper, not to leave Baroda, and to appear and answer any charges which may be preferred against him before the British Resident; and that your Lordship in Council will be further pleased to direct a
punchayet

punchayet of impartial and indifferent persons to assemble at the British Residency, to investigate, under the direction of the Resident, any such charges as may be so preferred against Baba Nafra, or that any other just and equitable proceedings may be adopted without further delay, for putting an end to the arbitrary and illegal imprisonment of Baba Nafra and his family, and for affording him that protection which he is entitled to at the hands of the British Government.

And your petitioner, as in duty bound, will ever pray.

(signed) *Ramchunder Vishnoo.*

Bombay, 16 April 1851.

— No. 16. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

PERHAPS as we have now under consideration Colonel Outram's report in Joetabhaee Shetanee's case, consideration of this may be deferred till we have disposed of that.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

1 May 1851.

(True copies.)

(signed) A. Malet, Chief Secretary.

15.

Collection No. 5 of No. 91, Bombay Political Department,
Letter from, dated 3 December 1851.

BARODA.

Joetabhaee Setanee.

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1.	Minute by the	Right honourable the	Governor, concurred in by the Honourable Messrs. Blane and Bell.	1851 : July 16	- - -	820
2.	Chief Secretary	Assistant Surgeon Davey, at Baroda.	-- Requests that he will communicate certain particulars in the case of Joetabhaee, for the information of Government.	July 18 248.	- - -	821
3.	Assistant Surgeon Davey.	Chief Secretary.	-- In reply to the Chief Secretary's Letter, No. 248, of the 18th July.	July 25	- - -	821
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	Recorded.					

Bombay Castle,
3 December 1851.

(signed) A. Malet,
Chief Secretary.

— No. 1. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

My colleagues and myself have decided that we will not promulgate our decision on the case of Joetabhaee while the investigation into the charges brought against Nursoo Punt by Lieutenant-colonel Outram is in progress ; it is, however, highly desirable that we should be able, if possible, to form our opinions on the matter, so that we may be prepared to give effect to our verdict as early as may be after the termination of the inquiry which Mr. Frere is engaged in conducting. I therefore propose that Dr. Davey should be written to, and required to submit a statement of the facts on which his opinion as to the pregnancy of Joetabhaee, or rather that she has actually had a child six years ago, is founded.

2. It is of great importance that Dr. Davey's reasons for the conclusion at which he has arrived should be as full and convincing as possible.

3. The committee, who have been particular in accounting for their opinions on all other points in a way to satisfy an unprofessional man on the professional subjects which they have discussed in their report, have in this instance been less exact and explicit. They have at once accepted Dr. Davey's opinion as evidence, but I should desire to have the reasons for that opinion.

(signed) Falkland.
D. A. Blane.
A. Bell.

16 July 1851.

— No. 2. —

No. 248 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Assistant Surgeon *W. Davey*, 17th Regiment Native Infantry, Baroda.

Sir,

THE Right honourable the Governor in Council having had under consideration the proceedings of the medical committee appointed by Brigadier Brown, commanding at Baroda, for the purpose of ascertaining whether Joetabhaee Settanee, widow of the late Beichur Samuldass, had given birth to a child on or about the 23d December 1845, desires me to request that you will submit for the information of Government a statement of the facts on which you formed your opinion that Joetabhaee actually had a child, which child, if the offspring of Beicher Samuldass, must have been born more than five years before her examination by you; and with reference to this fact, it will be advisable that you should state, if the indications betokened a recent or long past birth.

2. It is, I am desired to remark, of great importance that your reasons for the conclusions at which you have arrived should be as full and convincing as possible.

I have, &c.

(signed) *A. Malet*,

Bombay Castle, 18 July 1851.

Chief Secretary.

— No. 3. —

From Assistant Surgeon *W. Davey*, 17th Regiment Native Infantry, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to acknowledge the receipt, yesterday afternoon, of your letter of the 18th current, No. 248 of 1851.

In that letter you desire me to submit, for the information of Government, a statement of the facts on which I founded my opinion that Joetabhaee Settanaee had actually borne a child. That child, you observe, "if the offspring of Beichur Samuldass, must have been born more than five years before the examination;" and you remark that, in reference to these facts, it is advisable that I should state, "if the indications betokened a recent or a long past birth."

In reply, I have the honour to state, that the following were the circumstances on which I founded my opinion that Joetabhaee Settanaee had borne a child.

The breasts were more pendulous than is observed in women who have not been mothers. The areola developed during pregnancy, and which is persistent in dark complexioned women who have once borne children, was well marked, and its glandular follicles larger than is the case with women who have never conceived. As these phenomena indicated no more than that Joetabhaee Settanaee was either then pregnant, or had been previously pregnant, I next directed my attention to her abdomen. And I discovered faint, but unmistakable linea albicantes, an appearance developed by utero-gestation, and one which is frequently permanent.

The combination of these phenomena on the person of Joetabhaee Settanaee satisfied me not only that she had been pregnant, but that she had given birth to a child at or near the full period of utero-gestation.

Whether the pregnancy, which induced the phenomena adverted to, occurred one year or five years prior to the examination which detected them, it is of course impossible for any medical man unacquainted with the lady's history to

say. The combination of the recited phenomena prove maternity of themselves; however, they furnish no criterion by which to determine its date. This is a point which can only be ascertained by circumstantial evidence.

The unanimous conviction which the circumstantial evidence forced on the minds of the committee has been fully stated in their report. All that was assigned to me individually by my brother committee-men, was to ascertain whether Joetabhaee's person presented physical confirmation or disproof of the allegation of her enemies, that she had never been pregnant; and I have simply to repeat that the result of my examination was the confident conviction, not only that Joetabhaee Settanee had been pregnant, but that she had given birth to a child, at or near the full period of utero-gestation.

I have, &c.

(signed) *W. Davey*,
Assistant Surgeon, 17th Regt. N. I.

Camp, Baroda, 25 July 1851.

— No. 4. —

Further MINUTE by the Right honourable the Governor, concurred in by the Board.

This may be recorded for the present.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

9 August 1851.

(True copies.)

(signed) *A. Malet*, Chief Secretary.

16.

Collection No. 6 of No. 91, Bombay Political Department,
Letter from, dated 3 December 1851.

Correspondence connected with Affairs at Baroda, with Captain P. T. French.

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Bombay Castle,
3 December 1851.

(signed) A. Malet,
Chief Secretary.

— No. 1. —

No. 1,914 of 1851.—Political Department.

From A. Malet, Esq., Chief Secretary to Government, Bombay, to
Captain P. T. French, late Officiating Resident at Baroda.

Sir,

ALLUSIONS having been made in certain official communications that have reached Government, that interviews between yourself and persons connected with Baroda affairs, now under the consideration of Government, or in course of investigation by the Resident at that place, have been brought under discussion, I am directed by the Right honourable the Governor in Council to request, that should this have been the case, you will be particularly careful to guard against affording the slightest grounds for any such reports in future.

I have, &c.

Bombay Castle,
7 May 1851.

(signed) A. Malet,
Chief Secretary.

— No. 2. —

From Captain *P. T. French*, 23d Light Infantry, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

I HAVE had the honour of receiving your letter of yesterday's date, No. 1,914, saying that "allusions have been made in certain official documents, that I have held with Baroda people discussions on affairs of Baroda now before Government, or in a train of investigation by the Resident at that place, and that be such the case, I am directed to not in future afford grounds for like reports."

2. Had your letter been more explicit, nothing would have afforded me greater pleasure than at once proceeding to remove the unfavourable impression the allusions and reports in question would appear to have led to.

3. Government will, I hope, deem that an opportunity should be afforded me of offering the required explanations by entering somewhat into particulars, for I repeat, that doing so will give me much pleasure, for the reasons above given.

4. Owing to my late residence at Baroda, people of that place naturally call on me when they visit Bombay, and I then as naturally ask after my friends there, and all concerning the place. But I am not aware that discussions such as those alluded to have, at those visits, passed between us. However, much, if not all, depends on the meaning attached to the word "discussion;" but from that already stated, it will be seen I am most desirous of righting myself in the estimation of the Right honourable the Governor in Council, by being allowed to explain away the impression existing, on receiving from you the grounds on which it is founded.

I have, &c.
(signed) *P. T. French*, Captain,
23d Light Infantry.

8 May 1851.

— No. 3. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

CAPTAIN FRENCH may be informed, that should Government deem any further explanations requisite, such explanation will be called for hereafter, but that at present it will be perfectly satisfactory to Government if he abide by the instructions communicated to him in the Chief Secretary's letter of yesterday's date.

(signed) *Falkland*.
D. A. Blane.
A. Bell.

8 May 1851.

— No. 4. —

No. 159 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Captain
P. T. French, 23d Regiment Light Infantry, Bombay.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter dated the 8th instant, expressing your desire to afford explanation on the subject of my letter, No. 1,914, dated 7th instant, and to inform you, that should Government deem any further explanations requisite, such explanation will be called for hereafter, but that at present it will be perfectly satisfactory to Government if you abide by the instructions communicated to you in my letter above alluded to.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 10 May 1851.

— No. 5. —

From Captain *P. T. French*, 23d Light Infantry, to *A. Malet*, Esq., Chief Secretary to Government, Bombay, 11 May 1851.

Sir,

IN reply to your letter of yesterday's date, No. 159, I am reluctantly compelled to ask what the instructions are therein referred to.

2. Government will perceive that in my letter of the 8th instant I stated that on meeting Baroda people, I asked after my native friends there, and all concerning the place, as well as that I expressed myself unconscious of the error implied in your letter of the 7th instant.

3. What "the affairs now under the consideration of Government" are, I know not, unless you refer to the case of *Baba Nafra v. Joetabhaee*, and that of Mr. Andrews; though I am aware of there being some rumours of others.

4. If his Lordship in Council will say that the late Acting Resident at Baroda is not, on meeting people of that place, to converse with them on any matters relating to the Durbar or the Residency, I will be aware of the wishes of Government, and obey them implicitly; though I can scarcely suppose any such orders will be issued, feeling as I do, that I never have, or could possibly tender any advice to such visitors inimical to the interests of Government.

5. But very lately a person not of, though connected with, Baroda, asked my advice touching a report which had reached him of the Resident of Baroda having unfavourably mentioned his name in some communication to Government. What was my advice? To at once wait on the Resident, now here, and tender to him such explanation as was called for, as the simplest and most straightforward way of proceeding; and I told the person in question that Colonel Outram or Government could have no other wish than justice dictated in his case. Should others come to me in future, and thus, on the score of old intimacy, consult me, am I to say the orders of Government prevent my offering any advice?

I have, &c.

(signed) *P. T. French*,
Captain, 23d Light Infantry.

— No. 6. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

IN answer to this very needless reference, Captain French may be informed that Government expects him to decline visits from persons connected with Baroda, or in any way interfering in giving advice in matters connected with that place.

(signed) *Falkland*.
D. A. Blane.
A. Bell.

12 May 1851.

— No. 7. —

No. 161 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Captain *P. T. French*, 23d Regiment Light Infantry, Bombay.

Sir,

IN reply to your letter, dated the 11th instant, I am directed to inform you, that Government expects you to decline visits from persons connected with Baroda, or in any way interfering or giving advice on political matters connected with that place.

Bombay Castle, 14 May 1851.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

(True copies.)

(signed) *A. Malet*, Chief Secretary.

17.

Collection No. 7 of No. 91, Bombay Political Department,
Letter from, dated 3 December 1851.

BARODA.

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1.	Captain French	Chief Secretary -	- - Submits Copy of Correspondence with the Resident at Baroda, on the subject of a report regarding a certain money transaction, prejudicial to his character, for the information of Government.	1851: August 19.	1851: Sept. 3.	826
2.	Minute by the Right Honourable the	Governor, concurred in by the Honourable Messrs. Blane and Bell.		August 23.	- - -	827

Bombay Castle,
3 December 1851.

(signed) A. Malet,
Chief Secretary.

— No. 1. —

From Captain *French*, late Acting Resident at Baroda, to A. *Malet*, Esq., Chief Secretary to Government, Bombay, dated 19 August 1851.

Sir,

It being my intention to solicit the permission of Government to my proceeding to Europe by the first mail in November next, I take this early opportunity of notifying the same, in the hope that should there be any further questions or reference to make to me on Baroda affairs, his Lordship in Council will be good enough to have them put at an early date, in order to my not being detained in India beyond that above stated.

2. I take this opportunity of laying before Government copies of letters to and from Colonel Outram, C.B., Resident at Baroda, as per margin.* They call for no comment.

* See below.

I am, &c.

(signed) P. T. French, Captain,
late Acting Resident, Baroda.

To Colonel Outram, C.B., Resident, Baroda.

Sir,

ABOUT March or April last I addressed to you a demi-official note, stating that Captain H. Barr had, on the day of writing, asked me, "What became of the 50,000 (fifty thousand) rupees I received from Baba Nafra, moneem of the firm Hurree Bucktee, at Baroda?" or some such words; and I added that were there even a whisper abroad of such a transaction, I trusted you would have it thoroughly sifted, &c. &c.

2. Of that note having retained no copy, I beg the favour of your furnishing me with one.

I am, &c.

(signed) P. T. French.

* Captain French to Colonel Outram, 10th August 1851; Colonel Outram to Captain French, 14th August 1851, with enclosure; a demi-official note from Captain French to Colonel Outram, 20th March 1851.

To Captain *French*, Town Major, Bombay.

Sir,

I HAVE the honour to transmit the copy of a note you addressed to me on the 20th March last, as requested in your letter, dated the 10th instant.

Baroda, 14 August 1851.

I have, &c.
(signed) *J. Outram*,
Resident.

My dear Outram,

Bombay, 20 March 1851.

A LITTLE back I was in Barr's office, when he said to me, in presence of Heatley, "What have you done with the 50,000 rupees Baba Nafra gave you? I heard it at the Band," or something like this.

I laughed, &c. &c.; but since coming home, and thinking that I have not heard from you for a long time, it may be that Barr but said what he heard at the Band; and therefore I now write to say, if there is such a report, or whisper, or idea, abroad, take it up at once, and officially.

This, I need not say, you are bound to do in every sense; a duty I would not remind you of, but that a mere whisper or hint you might not deem sufficient grounds for casting a suspicion.

But even a whisper I can't afford; to many it is positive conviction; so take up the case as you would any other, and that as soon as may be, I pray you. Adieu.

Yours, sincerely,
(signed) *P. T. French*.

(True copy.)

(signed) *J. Outram*, Resident.

(True copies.)

(signed) *P. T. French*.

— No. 2. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

THIS intimation of intended departure to be kept in view in case of any occasion for further explanation arising.

(signed) *Falkland*.
D. A. Blane.
A. Bell.

23 August 1851.

(True copies.)

(signed) *A. Malet*, Chief Secretary.

18.

Collection No. 8 of No. 91, Bombay Political Department,
Letter from, dated 3 December 1851.

BARODA.

Joetabhaee Setanee.

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Bombay Castle,
3 December 1851.

(signed) *A. Malet*,
Chief Secretary.

— No. 1. —

No. 51 of 1851.—Political Department.

From Lieutenant-colonel *J. Outram*, c.B., Resident at Baroda, to
Arthur Malet, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to inform you that I have this day despatched a box containing my report on the case of Joetabhaee Setanee, with its accompaniments, to the care of the Magistrate, Surat, with request that he would forward it by steamer to your office, being too bulky to transmit by post.

I have, &c.

(signed) *J. Outram*, Resident.

Baroda Residency, 5 April 1851.

— No. 2. —

No. 1,667 of 1851.—Political Department.

From *H. E. Goldsmid*, Esq., Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c. b., Resident at Baroda.

Sir,

WITH reference to your letter, No. 61, dated the 10th instant, I am directed by the Right honourable the Governor in Council, to inform you that Government has not, up to this date (19th April), received the report on the case of Joetabhæe Setanee, alluded to in the first paragraph thereof, and reported in your communication, No. 51, dated the 5th idem, to have been forwarded to the magistrate of Surat for transmission to Bombay by steamer.

I have, &c.

(signed) *H. E. Goldsmid*,
Secretary to Government.

Bombay Castle, 19 April 1851.

— No. 3. —

No. 76 of 1851.—Political Department.

From Lieutenant *M. Battye*, Assistant Resident in Charge, to *H. E. Goldsmid*, Esq., Secretary to Government, Bombay.

Sir,

WITH reference to your letter, dated 19th instant (No. 1,667), I have the honour to inform you that the Acting Assistant Magistrate at Surat reported on the 11th idem, that the box containing Joetabhæe's case was despatched by the steamer "Surat" on the 9th instant; copy of the receipt passed by Mr. Williams of the steamer for the said box is herewith forwarded for the information of Government.

I have, &c.

(signed) *M. Battye*,
Assistant Resident in Charge.

Baroda Residency, 23 April 1851.

Surat, 9 April 1851.

RECEIVED from *L. Reid*, Esq., Acting First Assistant Magistrate in charge of the Surat Collectorate, a box addressed to the Chief Secretary to Government, Bombay, and said to contain documents of importance, received from the Resident at Baroda.

(signed) *J. Williams*, Chief Officer.

(True copy.)

(signed) *M. Battye*, Assistant Resident in Charge.

— No. 4. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

THE Assistant Resident in charge will have learnt from the Government letter of the 21st ultimo (No. 1,730), that this box has intermediately been received; this may therefore be filed.

(signed) *Falkland*.
D. A. Blane.
A. Bell.

17 May 1851.

— No. 5. —

No. 1,730 of 1851.—Political Department.

From *H. E. Goldsmid*, Esq., Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c. b., Resident at Baroda.

Sir,

WITH reference to my letter (No. 1,667), dated the 19th instant, I am directed by the Right Honourable the Governor in Council to inform you, that I have this day received from the manager of the Steam Navigation Company, a box

560.

5 M 3

from

from the Baroda Residency to the address of the Chief Secretary, and which doubtless contains the report alluded to in your letters of the 5th and 10th instant, on the case of Joetabhaee Setanee.

I have, &c.
(signed) *H. E. Goldsmid*,
Secretary to Government.

Bombay Castle, 21 April 1851.

IN reply to Mr. Goldsmid's note, the manager begs to inform him that no parcel came by the "Bombay" to either Mr. or Mrs. Goldsmid's address. A box which came down from Surat by Mr. Reid, on account of Government, is herewith sent.

21 April 1851.

—No. 6.—

No. 390 of 1851.—Political Department.

From *L. Reid*, Esq., Acting First Assistant Magistrate in charge, Surat, to
A. Malet, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to forward in charge of the officer commanding the steamer "Surat," a box containing documents of importance, received from the Resident at Baroda for transmission to you, and I request you will have the goodness to acknowledge the receipt of the same.

I have, &c.
(signed) *L. Reid*,
Acting First Assistant Magistrate
in charge.

Surat, Magistrate's Office,
9 April 1851.

—No. 7.—

MEMORANDUM by the Secretary.

THE Secretary to Government in charge of the Political Department begs to inform the Honourable Board that he has this afternoon (at 2 p. m.), received from the manager of the Bombay Steam Navigation Company, with the annexed note, the box alluded to in this and in Lieutenant-colonel Outram's letter of the 5th instant. The Secretary begs to solicit the instructions of the Board, whether, as Mr. Malet (as he understands) is expected back in Bombay during the present week, the box may not be kept unopened until that gentleman's arrival.

(signed) *H. E. Goldsmid*,
Secretary to Government.

21 April 1851.

—No. 8.—

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane*.

THE papers should not, I think, be sent to the Hills, the Right honourable the Governor being expected on or before the 27th; they should be circulated.

(signed) *J. P. Willoughby*,
D. A. Blane.

22 April 1851.

—No. 9.—

MEMORANDUM.

IN compliance with the above instructions, the papers are herewith forwarded:

(signed) *H. E. Goldsmid*,
Secretary to Government.

23 April 1851.

(True copies.)

(signed) *A. Malet*, Chief Secretary.

19.

Collection, No. 1, of No. 9, Bombay Political Department,
Letter from, dated 31 January 1852.

BARODA.
Joetabhaee Setanee.

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Bombay Castle,
31 January 1852.

(signed) A. Malet,
Chief Secretary.

— No. 1. —

No. 107 of 1851.

From Lieutenant-colonel J. Outram, c.B., Resident at Baroda, to Arthur Malet, Esq., Chief Secretary to Government, Bombay.

Sir,

Dated 11 November 1851.

I thus stated, at the conclusion of my report on the case of Joetabhaee Setanee, dated 31 March last: Political Department.

"In drawing to a close the most arduous, the most humiliating, and the most painful task I have had to perform during the 32 years I have had the honour to serve the Honourable East India Company, by requesting that the sentence passed on Baba Nafra by his Highness may be confirmed; I have only to beg that I be entrusted to see that effectual measures are adopted to cause the delinquent to make good the large sums which, it will be seen from my separate report about to be submitted, he has embezzled from the firm, together with the value, as well of the jewels, which it may hereafter be ascertained have disappeared under his stewardship, as those which he obtained on loan from Joetabhaee Setanee, and neglected to return."

2. I now proceed to detail the measures by which I have endeavoured to ascertain the amount of embezzlement and defalcations for which Baba Nafra is justly answerable, and to explain the causes which have so long delayed my promised report.

3. On the 31st December last, I called for the decision of the Durbar in regard to the "Zeetee Khata" (blank), and other items suspiciously entered on the

the books of the Hurree Bhugtee firm during Baba Nafra's management, brought to light during the investigation at the Residency, amounting in the aggregate to rupees 3,87,001, and such other entries as might be questioned by the proprietresses of the firm, the Setanees Luxmeebhaee and Joitabhaee.

Appendix (A.),
No. 1.
No. 2.
No. 3.

4. On the 23d January following, I received a yad from his Highness, forwarding the report of the Durbar officer appointed to test the explanation by Baba Nafra, under date the 4th October previous, with the reply of the Setanee's Kamdars, dated 19th January.

5. It is stated in his Highness's yad, that when questioned by the Durbar, in consequence of the exposure by the firm of the dishonesty of his attempted explanation, Baba Nafra "refuses to give proper answers, and he is already in confinement; he cannot be further punished." And moreover that he (the Baba) refused to give up the keys of the treasuries, which he had secreted since the day of his arrest.

6. From these documents it will be seen that the whole amount of disputed items is Rupees 4,49,289. 8. of which the firm admit only Rupees 44,245. 3. 3., leaving a balance of Rupees 3,74,407. 8. to be accounted for by Baba Nafra, besides Rupees 30,636. 3. 9. entered in the books of his son's firm (Narain Runchore), for which no warrant has been produced. Total to be accounted for by Baba Nafra, Rupees 4,05,043. 11. 9. It still remained to ascertain the state of the treasuries of the firm, which had been sealed up since Baba Nafra's arrest; and in accordance with the sanction of Government, conveyed in Mr. Secretary Goldsmid's letter, dated 19th of March last (No. 1,186), I called upon his Highness to assemble a committee for that purpose, which commenced its proceedings on the 25th of that month, and completed its examination of the small (or current) treasury, on the 18th April, when a copy of its daily proceedings, with lists of the jewels and property found therein, was furnished to me. The great (or main) treasury remains untouched, in deference to Sowcaree prejudice, which could only admit of its inspection under the most extreme circumstances, and, being deemed unnecessary, as it does not appear to have been opened since the death of Samul Bechur, the late Sett.

7. The proceedings of the Committee being very voluminous, I have not thought necessary to burden Government with a translation thereof. It may suffice to state that the entire value of jewels and property is roughly estimated at three lacs of rupees, and that no record was found of what the treasury contained at the time of the Shett's death, or of what had been introduced or abstracted from that date, during the interval of Baba Nafra's management.

8. Such a record is always kept in every Sowcar's treasury, and such was kept by the late Sett up to the day of his death, in which he entered everything with his own hand, and which was always deposited in the treasury. But the committee failed in finding any trace of it. Neither was any account of receipts and expenditure during the incumbency of Baba Nafra to be found. This circumstance alone would stamp his dishonesty, even without the startling revelation that the current treasury of the most wealthy firm in Baroda contained only three lacs, which popular belief—and the monetary transactions of so extensive a banking establishment warrant that belief—estimated at ten times that amount.

Appendix (D.),
No. 1, 2, 3, 4, & 5.

9. In my report on the Joetabhaee case, paragraph 120, section II., and its Appendix (C.), I have already remarked on the very suspicious circumstances under which the unattested will was obtained, under which Baba Nafra assumed to himself the sole control of the firm, and, on the further suspicious circumstance of his dismissing three of the four most confidential goomashtas of the firm, who the elder Setanee declares were associated with Baba Nafra in the care of the firm by her late husband, on his death-bed (*vide* Appendix D.), and the testimony of those persons, as well as of the fourth party who was thus associated with Baba Nafra, proves that a memorandum of receipts and disbursements was kept by the late Sett, and always deposited by him in the treasury, and that Baba Nafra permitted no one but himself to have access to the treasury.

10. It was therefore intimated to Baba Nafra, that unless he produced the missing account deposited in the treasury by his master, an irrefragable proof of the

the receipts and expenditure since he himself assumed charge of the treasury, he would be held responsible for whatever sum the committee should, on further inquiry, estimate to be the probable amount of what ought to have been in the treasury. On Baba Nafra refusing to produce the required documents, I requested his Highness to instruct the committee to frame, to the best of their ability, from the examination of the old Goomashtas of the firm, and from their knowledge of the deposits usual in the current treasury of a bank of the importance and position held by the Hurree Bhugtee firm, a proximate estimate of the value in jewels and specie which, in their opinion, ought to be forthcoming.

11. Much delay ensued, in consequence of the committee requiring the presence of an old confidential Goomashta of the firm, who was absent at Vishnaggur, for whose non-attendance until lately various excuses were assigned, and it was only on the 4th instant that I received a yad from the Durbar, enclosing their report, which, however, though giving an estimate of the property in jewels and other valuables that ought to have been in the treasury, made no mention of the cash required for carrying on the extensive concerns of the bank. Neither had any estimated value been given to the jewels, &c., found in the treasury, of which lists had been furnished with their first report. Further references were consequently required, and thus has my report been so long delayed.

12. The estimates arrived at by the committee will be found in Appendix (E.), giving the amount of jewels and other valuables that ought to be forthcoming at 10 or 12 lacs of rupees, and of specie at six or seven lacs of rupees. Taking the lowest of these estimates, the following calculation gives the total amount of defalcation at

				Rs.	a.	p.
That is,						
Jewels, &c.	-	-	-	10,00,000	-	-
Specie	-	-	-	6,00,000	-	-
Fraudulent entries, &c., in the books				4,05,043	11	9
				20,05,043	11	9
Deduct,						
Value of property in hand	-	-	-	3,00,000	-	-
Total defalcation	-	-	-	Rs.	17,05,043	11 9

13. No reliance can of course be placed on these estimates, which I believe to be much below the real amount of loss sustained by the widows of the late Samul Bechur, through the wholesale robbery practised by Baba Nafra, the majority of the committee being the Baba's friends. He possessed but little property, it is supposed, during the lifetime of his late master, since whose death he had established two independent banks, under two of his sons, whose trading capital could only have been dishonestly supplied from the Hurree Bhugtee firm. He is supposed to have remitted enormous wealth into the Company's territory; and he is known to have furnished large sums to his creatures in Bombay, besides what he expended in bribery at Baroda, with a view to counteract the late and former inquiries, and, since his conviction, to obtain the interference of Government in his behalf.

14. If the defalcation is over-estimated, it is in Baba Nafra's power to prove the fact, by producing his own and his master's accounts. In failure of his doing this, I would respectfully submit to Government the propriety and justice of authorising me to suggest to his Highness, that Baba Nafra be required to make good the amount charged against him, and that his property, and that of his son's subordinate banks, be sequestrated with that view, wherever it may be found. But their property has doubtless long since been removed from the Gaekwar territory. That, in failure of the defalcation being made good, therefore, the two sons of Baba Nafra who traded on the Hurree Bhugtee funds, be likewise imprisoned as debtors to the firm, and that Baba Nafra be informed, that when the term of his present sentence expires, he will be transferred to the debtor's gaol, to continue in confinement until the claims against him are liquidated.

15. With respect to Joetabhaee's claim against Baba Nafra, for jewels borrowed, which he neglected to return, it will be seen, in Appendix (G.), that Joetabhaee Setanee having no proof to adduce, the claim has been dropped.

Appendix (H.)

16. During the period of about three years that Joetabhaee and her parents were subjected to persecution, she repeatedly represented her impoverished state, and besought in vain the Resident to provide the means of subsistence from the funds of the bank of which she was joint mistress. Not one rupee did she obtain therefrom; and the debts which she then incurred remain unpaid to this day. On this subject, she addressed a petition to me on the 20th March last (copy of which I subjoin), to which I replied, that on furnishing the details of her debts the claim would be considered. This, however, she has never done, averse, probably, to naming the parties who supported and assisted her pending the confirmation of Baba Nafra's sentence by Government, lest they should incur the enmity of his friends, while their belief in his influence at the Presidency remains unchecked.

I have, &c.,

(signed) J. Outram, Resident.

Baroda Residency, 11 November 1851.

Appendix (A.) No. 1.

TRANSLATION of a Yad from His Highness the Gaekwar to the Resident, dated 23 January 1851 (20 Rubbeeal Ahwul S. S. 1251.)

WITH reference to a yad received from the Resident, dated the 31st December 1850 (No. 1,226), calling for information in the case of Joetabhaee Setanee, the following replies are submitted:

Paragraph 1. In this paragraph the Resident writes, "Having inspected the books belonging to the firm of Hurree Bhugtee for the years St. 1901 (1845) and 1906 (1850), copies of certain '*leetee khata*,' (blank entries), &c., which had been discovered in these books, were transmitted to the Gaekwar Sirkar, by whom they were compared with the books; when it was ascertained that the copies taken did not embrace the whole amount of similar entries which obtained in the chopras in question. This has been brought to the Resident's notice, but the steps subsequently taken by the Durbar in this matter the Resident is in ignorance of; therefore it is requested that such information should be submitted." In reply to the above, be it known that Sumbooram Khooshall had been instructed to make all the necessary inquiries into this matter, with the view of obtaining such information; and upon being so instructed, the said Sumbooram made inquiries of Baba Nafra, Setanee Maha Luxmee, the present manager of the affairs of the said firm, Petamber Sewlall, and the other Goomashtas engaged in this business; such information as he managed to collect on both sides of the question he embodied in a yad, and submitted it to the Sirkar, copy of which is herewith transmitted for the information of the Sahib. The Baba, however, upon being questioned upon any of the points connected with the above affair, refuses to give proper answers; and as he is already in confinement, he cannot be further punished.

2. In the second paragraph the Sahib writes, "From amongst the dufters seized from the house of the Baba, the dufter regarding '*Syr Kota*' customs, was made over to the charge of Hurree Bhugtee's Goomashta and Karkoon, and the remaining dufters, it was stated, would be inspected, therefore it is requested that the parties to whom these dufters have been made over for the purpose of being inspected, and the result of such inspection should be submitted for the information of the Resident, &c." With reference to the above, be it known, that the remaining dufters belonged to the firm of Hurree Bhugtee and others, and they have been made over to the Goomashtas of the respective firms to which they belonged, and those which belonged to the Baba have been delivered to his Karkoon, and of the dufters received from the residency not a single paper remains with the Sirkar, but they have been returned to the respective parties to whom they belonged.

3. "Orders were sent from the Resident, through the native agent, Soorujram Gungaram, to the Durbar, that the keys of the jamdar khana (treasury) of the firm of Hurree Bhugtee, which remained with Baba Nafra, should be taken from him and delivered over to the firm; and that with reference to this, Bhow Tambeykur made answer that the keys would be taken and delivered, but that a reference would be previously made to the Baba, to ascertain what he may have taken from the treasury and what remained in it, and he be made to furnish a memorandum regarding the above. For which reason it would appear that the keys from the Baba were not taken, but it has not been ascertained whether the keys really were taken from, or remain with, the Baba at present, &c."; thus the Resident writes,

but

but with reference to it, be it known that, before the Baba had been made to undergo the punishment awarded to him, both the Setanees were desired to consult together, and send on their part a kamdar within three days to the Sirkar, for the purpose of inquiring of Baba regarding the firm, &c., when they would get every explanation which they may consider necessary, and that if they failed to do so, then that they would have to wait for such information after the completion of the sentence passed upon him, but this request the Setanees did not attend to, and no kamdar was deputed by them; consequently, if the keys were taken from the Baba, to whom were they to be made over? Therefore the keys were permitted to remain with the Baba. Recently, another karkoon belonging to the Rowpoora Choobootra, had been deputed to the Baba to inquire about the keys, but he refused to afford any information on the subject, and he said that what was to happen would, but that he would not afford any information; further, that he was unable to do so, and that for the future no one should come to him. This the said karkoon reported to the Sirkar.

From the above paragraphs the subject will become elucidated.

Enclosure to the above.

TRANSLATE of a Yad from Sumbooram Khooshall to His Highness the Gaekwar, dated Post Vud 3d, Sumvut 1907 (A.D. 20 January 1851).

A MANDATE from the Sirkar having been directed to me, with reference to the impending case of Joetabhaee Setanee, the widow of Paruck Bhaichurbhaee Samuldass, complainant, informing me, that on inspecting the book of the firm of Hurree Bhugtee and Narrain Runchore, for the years Sumvut 1901 and 1906 (1845, 1846*), that many suspicious entries were therein discovered, and a statement of which, together with extracts from the accounts, have been received from the residency, upon which statement the Baba had endorsed a memorandum of explanations, and directing that the firm of Hurree Bhugtee be referred to on the subject, and that the explanations given by the firm should be compared with that of the Baba, and both parties confronted, and the result reported for the information of the Sirkar. With reference to which, the items of the statement in detail, together with the memorandum submitted by the Baba, upon being given to the manager of the firm of the said Hurree Bhugtee, the said manager submitted his explanation of the affair, and having taken the whole of the above into consideration, the subjoined particulars have been ascertained. Particulars of the discoveries made at the residency, and of those pointed out by the firm of Hurree Bhugtee are as follows:—

* Original.

	Rs.	a.	p.
The discoveries made at the Residency, total amount rupees - - -	3,87,001	15	-
Hurree Bhugtee and Samul Bhugtee, that is, from	Rs.	a.	p.
the books of the firm of Hurree Bhugtee - - -	3,56,365	11	3
From the books of Narrain Runchore - - -	30,636	3	9
	Rs.	3,87,001	15 -
The items recently pointed out by the firm, total - - -	62,287	4	-
Sum Total - - - - Rs.	4,49,289	3	-

Regarding the above amount, the explanations contained in the yad presented by the Baba, and the rejoinder made thereto by the firm of Hurree Bhugtee, having been taken into consideration, the following conclusions have been arrived at, viz.:—From amongst the items adverted to by the Baba in his yad, the following sums he explains as having been, by the sanction of the Setanee, expended from the firm, and which he admits as being due.

	Rs.	a.	p.
No. 1, from amongst the items noticed in the statement from the Residency as being credited blank - - -	12,050	-	-
No. 2 of the statement, ditto - - - - -	3,300	-	-
No. 4 of the statement deposited on account of a building at Bombay, and seems expended on account of Goomashta, deputed to Bombay - - - - -	8,545	8	-
No. 6, ditto, expended on account of the Bharsa ceremonies of Moteelall Bhaee, the firm agrees to liquidate, but claims the amounts received on the above occasion which have not been carried to credit - - -	10,953	9	3
No. 7, ditto, disbursed on account of sundries - - -	1,257	-	-
No. 8, terms drawn by the Baba - - - - -	3,139	10	-
	39,245	11	3

From the above items, those admitted by the manager of the firm of Hurree Bhugtee will be ascertained from the yad submitted by the firm.

	Rs.	a.	p.
Particulars of the sums disputed by the firm of Hurree Bhugtee - - -	3,12,120	5	-
Blank entries, not even showing through whom and on what account disbursed, and regarding which the Baba has explained that these disbursements were made on account of sacrifices for, and for the benefit of the firm, by him in his capacity of sole manager of the affairs of the said firm, but gives no sufficient proofs for the establishment of such explanation, and regarding the above subject, nothing being written in the books of the firm of Hurree Bhugtee, and regarding which consequently the manager of the said firm advances that neither the Setanee or the Goomashtas possess any knowledge whatever as to how this sum had been expended; and further, according to the usage amongst Sowcars, without the knowledge of the owner no sums are either entered or credited <i>blank</i> , and even if the Sett be at the time absent, if the Goomashta makes any disbursements, the said Goomashta makes a memorandum of the particulars of such disbursements for the information of the Settjee, and shows it to him. And that therefore the Baba should be required to give such explanation or to pay the money - - -	1,25,752	6	9
	Rs.	a.	p.
No. 1 of the Statement - - - - -	23,450	-	-
No. 2 - ditto - - - - -	55,382	5	9
No. 4 on account of Bombay disbursements - - - - -	28,870	9	-
No. 5 on account of Meetapoor disbursements - - - - -	664	8	-
No. 7 of the Statement - - - - -	16,125	-	-
	Rs. 1,25,752	6	9
Stated to have been expended on account of the Shree Ramjee Mundeer, wages to the Baba's sons, and the Baba's wife's pilgrimage to Dwarka, &c. - - - - -	1,86,366	14	3
The Baba explains that the disbursements on account of the Mundeer were made by the orders of the Settjee and Setanee, but the Setanee denies having given any such permission, and declares that the Ram Mundeer had been built and the idol located therein, during the Settjee's lifetime, and that therefore, if the Settjee had given permission for its erection, the amount expended would have been at once carried to account, which however has not been done. And the Baba, on account of the services of his own sons, accounts for the other amount of 1,200 and 1,500 rupees; regarding this, the manager of the firm of Hurree Bhugtee explains that, excepting to the Monim Goomashta, none of the other Goomashtas received such great wages. Regarding the sums drawn by the Baba, on account of his son's second wedding, his son's wife coming of age, and on account of "Sookree Surpows and Co.," the manager of the firm of Hurree Bhugtee explains, that the Baba, on account of his son's second wedding, drew the sum of 4,000 rupees, and on account of his son's wife coming of age 3,000 rupees; but that in the firm, on account of second marriages coming off, 1,000 rupees, and on account of "Ruttoo Shantee" amongst the Ducknees, and "Huggurnee" amongst the Goozrattees, the sum of 500 rupees only was allowed by the firm, and the amount on account of "Sookree" to the Mao and other Goomashtas allowed by the firm, as regulated by the standing usage, and agreeably to which the Baba must have distributed. Such being the case, the Baba, agreeably to his wishes, has credited the amount to his name, and has so explained it. This item (No. 8.) is - - - - -	1,86,322	14	3
	*3,12,120	5	-
No. 8. Of the statement on account of exchange St. 1902, rupees - -	5,000	-	-
And on account of Purshotunbhaee's Sunnud - - - - -	5,000	-	-
The above sums of 5,000 rupees have been twice entered, but both of the above items should be considered as one, consequent upon the amount having by mistake been entered twice.			
From the books belonging to the firm of Narrain Runchore, the items entered in the statement. The manager of the firm of Hurree Bhugtee affirms that as the above is the Baba's private firm, he cannot give any explanation - - - - -	30,636	3	9
	Rs. *3,87,002	2	3

* These totals would appear to be incorrect.

Besides the defalcations noticed in the statement from the Residency, the				Rs.	a.	p.
firm of Hurree Bhugtee claims from the Baba - - - -				62,287	-	-
				Rs.	a.	p.
Balance due from the accounts of Sumvut 1901 - -				36,372	13	1
Sums caused to be credited to the firm of Narrain Run- chore at other Parucks - - - -				24,000	-	-
Sums drawn on account of Meetapoor and Amleeara affairs, either rendered on account or pay - - - -				10,142	-	-
				Rs. 62,287	4	-

The amount expended on account of the "Bhursu ceremonies" of Moteelall Bhaee has been entered, but the collections on that occasion made have not been credited to the firm, therefore such sums and jewels, according to the custom, which had been on the above occasion presented, the Baba should be called upon to refund.

The customs had been farmed by the firm from the Sirkar, from which he drew, as also, from the grain depôt belonging to the firm, he took grain, and ready cash, &c., and on account of the balances due from the branch houses, the accounts from which it was the province of the Baba to audit and pass. The whole of which the Baba should be made to liquidate as under:

Total amount to be recovered - - - -	-	-	-	-	3,74,407	9	-
As shown in the statement - - - -	-	-	-	3,12,120	5	-	-
Amount due, not noticed in the statement - - - -	-	-	-	62,287	4	-	-
	Rs.	3,74,407	9	-			
Admitted to be due by the Baba in his memorandum of explanation -	-	-	-	-	39,245	11	3
Baba Nafra got carried to his credit out and out - - - -	-	-	-	-	35,636	3	9
Viz.; by mistake entered twice - - - -	-	-	-	5,000	-	-	-
Carried to his credit at the firm of Narrain Runchore	-	-	-	30,636	3	9	-
	Rs.	35,636	3	9			
Grand Total - - - - -	Rs.	4,49,289	8	-			

According to the above would the Baba appear to be indebted to the firm. And on this subject the Settanee Mahaluxmeebaee, the manager of the firm, Peetambur Bhaee, and the Goomashtas of both the firms, upon being questioned, they drew up and submitted a memorandum. The information being thus gathered from this memorandum on account of the several items in dispute, the Baba was confronted with the Goomashtas, and by the orders of the Sirkar, for the purpose of obtaining proofs, we had proceeded to the Thope Khana, where the Baba is incarcerated, and in the presence of the Thope Khana, Kamdar and Soobadar, and the Monim Goomashta, of the firm of Hurree Bhugtee, Peetambhurbhaee, the Keeladar Bhyejee, Itcharam, Damodhur, Bhugwan Buwanee, and others, the Baba was informed of the firm of Hurree Bhugtee's disputes about the balances due by him, and that he should inspect the several items of dispute and submit explanations. To this the Baba answered, that he, being in confinement, his ideas were not sufficiently collected to give any explanation, and further, desired that we should not again come to him, and that he would give no explanation. Thus he spoke, but gave no explanation; whereupon the yad given by the Baba at first, and the rejoinder then given by the firm of Hurree Bhugtee, copies of both the above yads are herewith submitted, from the perusal of which the subject will become elucidated.

Dated Post Vud 3d, Sumvut 1907.

(signed) *Sumbooram Khooshal.*

(True translation.)

(signed) *M. Battye, Assistant Resident.*

Appendix (A.) No. 2.

TRANSLATE of a Memorandum from Baba Nafra to His Highness the Gaekwar, dated Bhadurwa Vud 14th, Sumvut 1906 (A.D. 4 October 1850.)

A LECK had been passed to me by Bhachurbhaee Samulbhaee, wherein he appointed me manager of the whole of his affairs connected with the firm, &c., and the said Bachurbhaee Samuldass apprised the late Maharaj of his having so appointed me, and in this leck I am appointed sole manager; notwithstanding which, however, I used to consult with Mahaluxmee Setanee in the management of the affairs of the firm; recently extracts have been taken from the books of the Settjees and my firm, and submitted for my inspection, and an order issued to me to give information and explanation regarding such entries, but upon taking into consideration the contents of the leck passed in my favour, it will appear

that I am neither necessitated to give any explanation or to submit to any examination, yet notwithstanding which, in the city it has been rumoured that I have taken and appropriated to my own private use the sum of rupees 3,25,000 from the firm of Hurree Bhugtee; to meet such calumnies the following explanations are submitted, viz:—

1. From the books of Samul Bhugtee, in St. 1901, Vysack Sood 5th, (11 May 1845), paid by ready cash to Hurree Khijmutgar - - -	Rs.	a.	p.
	20,000	-	-

Thus is it written, but I have no knowledge about this transaction, therefore it must have taken place during the Settjee's time.

St. 1903 (1847), explanations regarding the entries made in the accounts of Bhachurbhaee Samuldass, amounting to - - - - -	15,300	-	-
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The particulars of the entry made on Chytur Sood 8th, (15 April), viz.:— - - - -	2,850	-	-
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	Rs.	a.	p.
Disbursed on account of charity sacrifices, &c. - - -	1,750	-	-
Paid to Lulloo Bhugwan on account of the Meetapoor affair through Jumnadass - - - - -	1,100	-	-
	Rs.	2,850	- -

Entries made on Chytur Sood 8th (15 April), paid Mharwarree through Tree Bhowun Jhossee - - - - -	200	-	-
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Note.—This Mharwarree had accompanied the merchant Mungulbhaee from Ahmedabad, and with a merchant from Bombay, Amerchund, were putting up at Veneram's house, when, for the purpose of having an interview with these Soucars, I took Porshotumbhaee there; this Marwarree having seen Porshotumbhaee, he declared that he had been conjured, and promised to give us ocular proofs of this fact. After which he sent for some cord, and having passed it over the head of Porshotumbhaee, submitted it for our inspection, when we found it changed to a blood-red colour, upon which myself and Wujjoobhaee requested the Mharwarree, if he understood the matter, to arrange for the conjuration being annulled, upon which he attended at the house of the Settjee and wrote out and gave a talisman, for which trouble he was remunerated with this amount in Joist Sood 8th, ready cash - - -

During the lifetime of the late Maharaj, a deed was written and taken for this amount, and afterwards this amount having been repaid from the Sirkar's private accounts, the deed was restored to the Sirkar.

Jaist Sood 10th, by ready cash - - - - -	400	-	-
Thus is it written; and this amount was paid to Lulloo Bhugwan through Jumnadass - - - - -	15,300	-	-

2. From the books of Hurree Bhugtee, Sumvut 1903 (1847), in the intercalary month, to an order on the part of Bharrote Ranchode Gopall, to the Jumma account of Banian Nurrotum Nundlall Nuddeeyadwalla - - - - -	200	-	-
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This is the entry; therefore I am under the impression that it might have been on account of the Metapoor affair.

3. From the books of Narrain Row Runchode, Sumvut 1902, Mhag Sood 2d (29 January 1846), by ready cash - - - - -	1,500	-	-
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This is an "Oopur Tupka" and Jummakurch transaction, therefore by inspecting the books it will become understood.

Sumvut 1903, Margasur Sood 9th, (27 November 1846) in account. Purshotum Runchore the sum of Rs. 1,785. 13. 9. is debited, and this amount is a portion of the above sum, and the sum in the books of Purshotum Runchore is credited to Narrain Row Runchore - - -	3,412	-	-
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Sumvut 1903, 2d, Jaist Sood 3d (15 June 1847), it is written, by ready cash through Abha - - - - -	150	-	-
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This sum had been expended on account of "Amrustan" sacrifices, and has been debited in the books of Samul Bhugtee against the firm of Hurree Bhugtee.

Sumvut 1904, Phalgun, leaf 28 (March 1848). By blank entries the sum of 1,325 rupees is twice entered.

This amount had been lent to Succaram Veesajee Nisbut Jemadar Chotoobin Fuzzulsha, and this transaction obtains in leaf 30, therefore, as it had been entered twice, the remark of its being twice entered has been made, therefore by referring to the books the same will be understood, St. 1904 (1848), leaf 30, blank - - - - -	1,325	-	-
			This

This amount had been lent to Succaram Veesajee Nisbut Jemedar Chatoobin Fuzzelsha, and a bond in Duknee taken from him, but consequent upon the Goomashta not being able to read Ducknee, he endorsed this item blank, and in the account which had been opened in leaf 22 with Succaram Veesajee, in which this entry is made, and the account kept according to the usual custom in such cases; and upon seeing the chopra and bond, the same will become elucidated; Sumvut 1904 (1848), leaf 39, Paruck Gunnesh Eshwur is credited with - - - -

Rs. a. p.

244 6 -

Ex. Joutajee Row Fackad, on account of this person's wages the sum was paid to Gunnesh Eshwur; upon inspecting the books regarding the above, in the same year, on account of Fairkra's wages the sum of rupees 437 was received from Gunnesh Eshwer, and which has been entered in leaf 38 without name, and which account is contained in leaf 14 of the "Khata Vye," in which the above item, being adjusted in account, the balance of rupees 193. 2. 3. remains to the credit of Joutajee Row; and regarding which, the "Khata Vye" of Sumvut 1095 (1849), leaf 81, an account had been opened with Joutajee Row Scinda, and to him credited, but which subsequently, in the month of Shrawun, was given to the Karkoon of Tankra, in presence of Buckshee. Upon inspecting the above books, it will appear, Sumvut 1904 (1848), in the 69th leaf of the "Khada," Bhadurwa Vud 13th, ready money in cash - - - -

100 - -

This amount, and another of rupees 124½, total rupees 224½, had been paid to Hurba Appa for writing an English copy, and which, in the year St. 1905 (1849), from the firm of Samul Bhuktee, was paid and debited to Bachurbhaee Samuldass; this upon inspecting the books will become known. Sumvut 1905 (1848-49) - - - -

11,287 8 -

26th December.

	Rs.	a.	p.
Post Sood 1st, in leaf 127, Khurda - - - -	6,208	2	-
Do. 2d, do. 133, do. - - - -	5,979	6	-
Rs.	11,287	8	-

Ex. According to the above, the amounts obtain in blank entries, the explanation of which is, that at Bombay, to the Vakeel of Hurree Bhugtee Jhotashwar, the amounts above noticed were transmitted by Hoondree; and the above amounts relate to that transaction, and which amount Hurree Bhugtee adjusted; leaf No. 191, in blank entry, Post Sood 10th, it was entered as received; the accounts have been squared. The books being referred to, this will appear. Sumvut 1905 (1849) in the "Khurda," leaf 197 (blank) - - - -

14,356 - 9

Ex. At the time when Gunnesh Punt Bhow had left Baroda, he paid cash into the firm of Hurree Bhugtee, and obtained hoondees for them on Surat; this entry relates to this transaction, and proofs of the grant of such hondees obtain in the books of the firm of Hurree Bhugtee, and the reason for keeping the "Jumma Kurch" at the firm of Narrain Runchore, is, that Gunnesh Punt Bhow paid the money into the firm of Hurree Bhugtee, but this amount was credited at the firm of Hurree Bhugtee's by Narrain Row Runchore, and hoondees were given for the amount paid by Gunnesh Punt Bhow, and this amount was carried to the credit of Narrain Runchore, and therefore was the Jumma Khurch accounts kept at Narrain Runchore's—and accordingly is the above amount so accounted for, and besides being credited to his name, the accounts also have been squared. Upon inspecting the books of Hurree Bhugtee and Narrain Runchore, the same will become elucidated. Sumvut 1906 (1850). In the Khurda, leaf 6, on Kartug Vud 6, by blank entry - - - -

301 - -

Ex. This amount was lent to Chintanum Dheeksheet, at eight annas' interest, and a bond taken for the same, but the goomashta not being able to read the Ducknee characters, in which the bond had been written, he omitted to write the name of the party in the entry; this book and bond, being subject, will become elucidated.

Items in the books of Samul Bhugtee, connected with Bachur Samul's accounts, as follows; Sumvut 1901 (1845) - - - -

1,300 - -

	Rs.	a.	p.
Post Vud 3d (26th January), paid through Hurreebhaee, leaf 40 of the Khurda - - - -	1,000	-	-
Ditto - - - ditto - - - ditto - - - leaf 43 - - - -	300	-	-
Rs.	1,300	-	-

Ex.—The above 1,300 rupees is a transaction from the time of the Settjee, and I know not for what purpose this sum had been expended.

Sumvut 1903 (1847) - - - - -				<i>Rs.</i>	<i>a.</i>	<i>p.</i>
				228	-	-
1st Jaist Sood 11th (25 May), "Khurda," 99 leaf, it is written, paid on account of Nagpaid - - -				<i>Rs.</i>	<i>a.</i>	<i>p.</i>
				153	-	-
Bhadurwa Vud 5th (25 Sept.) on account by ready cash - - -				75	-	-
			<i>Rs.</i>	228	-	-

Ex.—The above amount would appear to have been disbursed on account of copies of my pagas.

Sumvut 1904 (1848) - - - - -						43,070 - -
Bhadurpud Vud 30th (27 September), Khurda, leaf 164, by ready cash - - - - -				15,000	-	-
Bhadurpud Vud 8th (20 September), Khurda, leaf 200, by ready cash - - - - -				28,000	-	-
			<i>Rs.</i>	43,000	-	-

It is written, that 78,000 rupees had been paid on account of chitts; thus is it written, but I had given no orders for the entry being made about 78,000 rupees, and further, there is no affinity between these chitts and the above entry, and an explanation regarding the above sum is given at the end.

Sumvut 1905 (1848-49) - - - - -						13,661 12 -
In "Khurda," leaf 9, Kartug Sood 14th (10 November), by ready cash through Runchore, disbursed in account of "Annastanna" - - - - -				150	-	-
In "Khurda," leaf 12, Kartug Vud 30th (25 November), by ready cash - - - - -				2,000	-	-
						2,150 - -

For this amount Nurrotum Chittee gave security, and took through Vuzzoobhaee; Nurrotum took away because Vuzzoobhaee and Nurrotum Chittee, through Narrain Jatajee Gaekwar, were exerting themselves on behalf of Joetabhaee Setanee, and it had been then so decided that he, Narrain Row Jeetajee Gaekwar, agreeably to the Settjee's sickness, within one month's time he settled with, otherwise that his amount should be refunded; thus Nurrotum Chittee, through Wuzzoobhaee, explained things to me, and took the money away afterwards, after the expiration of the stipulated period; upon my making inquiry, I found only promises held to me, and at that time Narrain Chuttee was about to take away the money on account of Jeetajee, which I detained, and Nurrotum was ordered upon the subject of this money.

This item has been explained in para. 1, but that and this is the same item.

In the Khurda, leaf 59, Post Sood 10th (4 January 1849), on account of Bombay - - - - -						11,287 8 -
Regarding this amount, hoondees were sent to the Vakeel at Bombay; Janteshwur Etchabhaee and the Vakeel should be called upon to account for this amount.						
In the Khurda, leaf 59, Magsur Vud 30th (25 December 1848), paid to Hurba Appa for writing English, through Lallbhaee Sewleekur, from the shop of Narrain Runchore, this was given at first - - -						224 4 -
			<i>Rs.</i>	13,661	12	-

Sumvut 1906 (1850) - - - - -						422 9 9
In the Khurda, leaf 52, Mag. Sood 14th (27 January), ready cash - - - - -				<i>Rs.</i>	<i>a.</i>	<i>p.</i>
				422	-	-
Sundries - - - - -				-	9	9
			<i>Rs.</i>	422	9	9

No. 3.—The figures in the entries being allowed to remain untouched, the parties to whom and through whom erased the books of Samul Bhugtee for Sumvut 1903 (A.D. 1847).

		Rs.	a.	p.
Khurda, leaf 99, dated 1st Jais Sood 11th (25 May)	- - - -	57	-	-
Khurda, leaf 135, Shrawun Sood 10th (22 August)	- - - -	1,203	-	-
On Sood 10th, paid ready cash by orders of Baba	- 1,193 - -			
On Sood Vud 13th - ditto - - ditto	- 10 - -			
	Rs. 1,203 - -			

Rs. 1,260 - - -

Regarding the above items were entered as having been given to Lulloo Bhugwan, what necessity existed for my erasing his name and taking the onus upon my head? when the above be taken into consideration the same will become known.—*Summary*: Lulloo Bhugwan, with the view of disgracing me, may have done this, and I know nothing whatever about the above erasures; this amount have been taken away by Lulloo Bhugwan.

No. 4.—Bombay "Khata."

In the books of Samul Bhugtee - - - -	16,269	9	9
Ditto - - ditto - - - -	21,136	7	3
Total - - - Rs.	37,406	1	-

The particulars of the above in the ledger of Sumvut 1903 (1847), leaf 75, on account of having deputed Bhanua Treecum to Bombay - -

3,170 9 -

And after this account had been closed, this sum was transferred from the books of Hurree Bhugtee to the name of Myral Bhugtee.

Sumvut 1903 (1847), Khurda, leaf 120, Assad Sood 4th (16 July), by ready cash, an order on Bachur Soorchum's letter of credit in favour of Dwarka Kandass, who was about to proceed to Bombay, and the accounts of which may obtain with Dwarka, and this item obtains in Samul Bhugtee's books - - - -

201 - -

Particulars of sundry amounts transmitted to Vakeel Jouteshwur Etcharam, at Bombay, and advanced to him here as under - - - -

22,034 8 -

In Samul Bugtee's book, in the name of Myral Bugtee - 4,068 9 9

Shrawun Sood 9th (20 August 1847), by Hoondie on Bechur Soorchund, of Bombay, Sumvut 1903 - - - - 2,297 - 9

Assad Vud 13th (8 August), by ready cash by the hands of Bhugwan Bhowaneedass 71 4 -

Sumvut 1904 (1848), leaf 74, Chytur Sood 6th, for going to Bombay - - - 56 4 -

Sumvut 1904 (1848), leaf 105, Jaist Sood 9th (10 June 1848), by Jadowrow - - 100 - -

St. 1905, leaf 138, Shrawun Vud 4th (18 August), by ready cash - - - 700 - -

St. 1905, leaf 138, Shrawun Vud 11th, given when going to Bombay - - - 81 9 -

St. 1906 (1850), Phalgon Vud 5th (3 March), Joteshwer on going to Bombay, through Keka Dullall - - - 150 - -

Sumvut 1906 (1850), two receipts for 500 rupees, leaf 31, of the Jumma Kurch Lal-bhaee, cr. - - - 562 8 -

1st Vysack Vud 6th (2 May), on receipt for - - - Rs. 340 -

2d Vysack Sood 4th (15 May), on receipt for (paid to Bappas Scouchram) - - - 160 -

Exchange in the above - - - 62 8

Rs. 562 8

Sumvut 1906 (1850), Vysack Vud 4th (30 April), by ready cash, Hupoor Tupka - 50 - -

Rs. 4,068 9 9

	<i>Rs.</i>	<i>a.</i>	<i>p.</i>	<i>Rs.</i>	<i>a.</i>	<i>p.</i>	<i>Rs.</i>	<i>a.</i>	<i>p.</i>
From the books of Hurree Bugtee - - -	-	-	-	17,965	14	3			
Sumvut 1903 (1847), leaf 297, Assad Vud 11th (6 August), one Hundee to an order on Vrujlal Doollut of Bombay - - -	113	-	-						
Ditto, leaf 364, Asween Sood 4th (13 October), an order on Vrujlall Doollut, drawn in favour of Bhalwunt Ram - - -	141	4	-						
St. 1904 (1847-48), leaf 52, Magsur Sood 5th (12 Dec. 1847), one receipt for 100 rupees, passed by Bulwuntram, including exchange, &c. - - -	113	-	-						
St. 1904 (1847), leaf 84, Magsur Vud 13th (19 Dec.), ditto - ditto - - -	112	8	-						
St. 1904 (1849), leaf 236, Vysack Sood 8th (10 May) - ditto, 320 received from Bombay, including exchange, &c. - -	359	3	3						
St. 1904 (1848), leaf 268, Jaist Sood 1st (2 June), - ditto Co's. rupees 50 - ditto	56	2	-						
St. 1904 (1848), leaf 329, three receipts, rupees 200, ditto - - -	224	8	-						
St. 1904 (1848), leaf 357, Bhadurwa Sood 10th (8 Sept. 1848), rupees 50 - ditto -	56	4	-						
St. 1904 (1848), leaf 386, Asveen Sood 11th (8 October), rupees 50 - ditto - -	56	8	-						
St. 1904 (1848), leaf 171, Phagoon Sood 10th (14 March), rupees 100 - ditto -	113	-	-						
St. 1905 (1849), leaf 17, Kartug Sood 8th (4 Nov.), rupees 75 - ditto - -	84	12	-						
St. 1905 (1849), leaf 45, Magsur Sood 8th (4 Dec.), rupees 2,000 - - -	-	-	-						
St. 1905 (1849), on Vrujlall Doollul - -	2,260	-	-						
St. 1905 (1848), leaf 59, Magsur Vud 4th (14 Dec.), rupees 50 - ditto - -	56	8	-						
St. 1905 (1849), leaf 86, two receipts, rupees 201 - ditto - - -	227	2	-						
Post Sood 13th (7 Jan.), rupees 50									
Post Vud 7th (15 Jan.), rupees 151									
St. 1905 (1848), leaf 104, Magsur Sood 3d (28 Nov.), one order of rupees 50 - -	56	8	-						
St. 1905 (1849), leaf 113, Phagoon Sood 2d (24 February), one order of rupees 50 -	56	-	-						
St. 1905, leaf 148, Phagoon Vud 1st (9 March), one order of rupees 50 - -	55	12	-						
St. 1905, leaf 170, Chytur Sood 1st (25 March), one order of rupees 50 - -	55	6	-						
St. 1905, leaf 235, Jaist Sood 5th (26 May), one order of rupees 50 - - -	56	4	-						
St. 1905, leaf 292, Shawun Sood 7th (26 July), one order of rupees 100 - -	112	8	-						
St. 1905, leaf 320, Bhadurput Sood 5th (13 August), one order of rupees 125 - -	140	10	-						
St. 1906 (1849), leaf 370, Kartug Sood 6th (22 October), one order of rupees 250 -	281	4	-						
St. 1906 (1849), leaf 29, Kartug Vud 10th (9 November), one order of rupees 275 -	309	6	-						
St. 1906 (1850), leaf 38, Chytur Vud 5th (1 April), one order of Rs. 50. 10. - -	56	15	-						
St. 1906 (1850), leaf 28, Pagun Vud 13th (11 March), one order of rupees 125 -	142	8	-						
St. 1906 (1850), leaf 29, Chytur Vud 12th (9 April), one order of rupees 275 - -	313	8	-						
St. 1906 (1850), leaf 36, Vysack Vud 14th (10 May), one order of rupees 2,000 - -	2,280	-	-						
St. 1906 (1850), Vysack Vud 14th, two orders of rupees 1,875 - - -	2,137	8	-						
St. 1906 (1850), Vysack Sood 9th (20 April) one order of rupees 25 - - -	28	2	-						
St. 1906 (1850), Vysack Vud 9th (10 May), one order of rupees 4,500 - - -	5,085	-	-						
St. 1906 (1850), Jaish Vud 10th (4 July), one order of rupees 2,500 - - -	2,825	-	-						
Total - - - Rs.	17,965	14	3						
				22,004	8	-			

Sumvut 1904 (1848), in the books of Samul Bucktees, on the name of Myral Bucktee, leaf 79, Chytur Vud 4th (22 April), on account of translation, it is written - - - - -	Rs. a. p.
	300 - -

This is the small summary and English translation; it might be, for this is what I recollect; the Vakeel has nothing to do with this, &c.

Sumvut 1905 (1849), in the books of Samul Bucktee, and in the account of Bahchurbaee Samuldass, in Assad Vud 2d (7 July), paid ready cash on account of Bombay, it is written - - - - -	11,700 - -
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Therefore the item has been entered blank, and belongs to the account of Bechurbhaee Samuldass, and in Bechurbhaee Samuldass' account, (*vide* No. 2), Rs. 11,287. 8. Post Sood 10th (18 January), of this year, it is entered on account of Bombay; this item belongs to the account of the Vakeel, and the Vakeel should be called upon to explain it; and this item's explanation is given at the end of this memorandum.

Total - - -	37,406 - -
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If the Vakeel be called upon, he will give explanation of the above items; his accounts I have not with me. I asked the Vakeel, and he answered, that the account is not with him, but at Bombay; therefore the Vakeel should be called upon for an explanation.

No. 5, on account of the entries in the books of Hurree Bhugtee explanation.

Sumvut 1903 (1847), leaf 153, of the Khunda on Chytur Sood 6th (30 March), paid by ready cash, personal, to Koollee Ruggoonath Nuttoo	100 - -
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Thus is it written, but this item belongs to the Jummacurch, and by inspecting which it will become elucidated; the amount had not been given to anybody.

Sumvut 1904 (1848) "Oopur Tupka" - - - - -	500 - -
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Leaf 89 of the Kurda Barrote Purtab on Post Sood 11th (5 January 1848), one order given to him on account of his father's death - - - - -	Rs. a. p.
	100 - -
Leaf 89, Post Vud 3d (11 January), paid by ready cash from the shop of Bucktee - - - - -	400 - -

The entry is made as above, but he used to frequent the firm for a long time, and at his father's death, and as a great amount it is usual to expend on such an occasion, and as he was a confidant of the Settjees, therefore he being poor this amount was given in charity to him; and the above 500 rupees had not been given to the Meetapore Walla, Sumvut 1906 (1850) - - - - -

	64 8 -
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On Phagun Sood 6th, Havildar Dadabhaee having hid himself, a reward was given to sepahee who pointed him out at Boo - - - - -	Rs. a. p.
	50 - -
On Phagoon Sood 15th, given to Batteya on account of expenses to Dadabhoy Havildar - - - - -	14 8 -

It is true that the sums are thus entered, but I have no recollection about the subject; but the above Rs. 64. 8, had nothing to do with the Meetapoor Walla.

Total - - - Rs.	664 8 -
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No. 6 from the Books of Hurree Bugteedass.

Sumvut 1902 (1846), leaf 78 of the Katavye (ledger) - - - - -	10,853 9 3
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Total disbursements on account of the "Bharsa," rupees - - - - -	11,180 12 6
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Deduct receipts - ditto - ditto - - - - -	327 4 -
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*Balance - - - - -	10,853 9 3
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* Correct balance, 10,853. 8. 6.

Sumvut 1903, leaf 3 of the "Khurda" Cartug Sood 3d, ready cash paid to Hijras Eunochs - - - - -	100 - -
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Total - - - Rs.	10,953 9 3
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Thus it being entered, this amount is the sum expended upon that occasion, and this expense was made from time to time by the orders of the Settanee.

From the books of Samul Bugtee.

		Rs.	a.	p.
24 April 1847.	Sumvut 1903 (A.D. 1847). In leaf 92 of the Khurda, Vysack Sood 9th, debited to the account of Bachurbhaee Samuldass - - - - -	15,000	-	-
	This amount through Treecum Bhookundass has been credited to the account of Hurgovind Nurrotum; thus it being written, this item on account of Meetapoor is the same paid to Lullo Bhugwan.			
24 August 1847.	Sumvut 1903, in leaf 135 Khurda, Shrawun Vud 4th, ready cash paid on account of petition, 200, 200, and 100 rupees - - - - -	500	-	-
	<i>Extract.</i> —According to the above is it written. This amount paid on account of sundry petitions, written in English, but the particulars of the petition, and by whom written, I do not recollect.			
15 June 1848.	Sumvut 1904, in leaf 107 Kurda, Jaist Sood 14th, ready cash paid this Vijoobhae Vacheedass - - - - -	500	-	-
	Thus it being entered, therefore this amount was paid this Meersahib on account of translate of a summary and petition in the case pending between Bheemasunker Gungadhur and the Settjee.			
4 January 1848.	Sumvut 1904, leaf 204 Khurda. Post Sood 9th, on account of exchange, a pair of shawls presented to Ghaudal Virjlal Gopaljee, rupees - - -	125	-	-
	<i>Extract.</i> —Though the above is made, I recollect that the shawls were presented to Dyasunker Desaye.			

From the Books of Hurree Bugtee.

6 December 1848.	Sumvut 1905, leaf 45 of Kurda. Magsur Sood 11th, debited to the account of Tatteeaba Babajee, in account with H. B. - - - - -	500	-	-
	<i>Extract.</i> —Tatteeaba was the manager of Hurree Bhugtee with Rut-tonjee Kandas, and in the same year he used also to come to the firm on business there was, the and but the part of this			
13 May 1850.	Sumvut 1906. 2 Vysack Sood 2d, by Bappoo Jugjeevun, paid on account of Gheela Ooper Tupka - - - - -	32	-	-
	Regarding this entry, agreeably to the desire of the Settanee, the expense should be entered, and the balance should be carried to the Goomashta's account.			

No. 8. Particulars of the disbursements on account of the Ramjee Mundeer - - - - -

30 Dec. 1848.	Sumvut 1905, leaf 43 of the "Kurda." Post Sood 5th, debited to the account of exchange, but disbursed for the erection of a mundeer -	10,812	8	-
	<i>Extract.</i> —When the Settjee was alive, I had determined to go on a pilgrimage to Kassee, and when I mentioned the subject to the Sirkar and Settjee, they refused to allow me permission, but allowed me permission to build a mundeer. At this time the Settjee said, "Build a mundeer and I will give you the amount which you may expend there-upon," and when I furnished the mundeer the Settjee was unwell; and after his death I mentioned the subject to the Maha Luxmee Settanee; she asked what amount had been expended, when I informed her that about 15,000 rupees had been laid out, but that I left to her to give what she pleased; upon which she sent word by Wuzzoobhaee to allow me the sum of 10,000 rupees on this account, to the firm, and for the disbursement of the current expenses of the mundeer, agreeable to the Sirkar's and Settjee's promise. The Sirkar settled an annual allowance, and from the Settjee's house, grain, &c. are given.			

On account of the current expenses about the mundeer - - - - - 812 8 -

The Setanee, after taking into consideration, granted permission by Wujooobhaee. The following are the particulars of the above:

Sumvut 1904 (1848), leaf 206 of "Kurda," credited to the account -	462	8	-
On account of "Hooka" Kurch - - - - -	350	-	-
Ditto 30,000 bundles of grass for the cows of the mundeer - - - - -	112	8	-
Rs.	462	8	-

22 March 1849.	Sumvut 1905 (1849), leaf 69 of the Kurda. Phagoon Vud 13th, charitable purposes is written to be allowed yearly.	350	-	-
	This item is on account of Rammunder Hoocha Kurch - - - - -	812	8	-
	Rs.	10,812	8	-

Samul Bucktee's Books.					Rs.	a.	p.	
On account of exchange	-	-	-	-	15,000	-	-	
Asveen Vud 30th, St. 1902	-	-	-	-	8,000	-	-	20 October 1846.
On account of my son Bhow; second marriage	-	-	4,000	-				
Ditto - Anna - ditto	-	-	4,000	-				
			Rs.	8,000	-	-		
St. 1905. Leaf 43 Kurda	-	-	-	-	7,000	-	-	8 January 1849.
Post Sood 15th my of daughter Goozub, of age	-	-	3,000	-				S. O.
Ditto - ditto the wives of Bhow, Anna and	-	-						
Appa	-	-	3,000	-				
Death of	-	-	1,000	-				
			Rs.	7,000	-	-		
					15,000	-	-	
The above sums were disbursed by the orders of the Setanee, carried and credited by Wuzoobhaee, according to the usual custom.								
From Sumvut 1903 (1847), by the orders of the Settanee, the following provisions were made on account of the services of my three sons, viz.:								
To the eldest son, per Anna	-	-	1,500	-				
Ditto second ditto	-	-	1,200	-				
Ditto third ditto	-	-	1,000	-				
Total	-	-	-	-	Rs.	3,700	-	-
According to the above, from the year Sumvut 1903 to Sumvut 1906, agreeably to the orders of the Setanee, the sums received on account of services are as follows, viz.:								
On leaf 115 of the "Kurda"								
On Jaist Sood 15th, credited on account of exchange	-	-	11,100	-				A.D. 1847 to 1850.
Sumvut 1906, in leaf 73 "Kurda."	-	-						
Phagoon Sood 2d, ditto ditto	-	-	3,700	-				14 February 1850.
Total	-	-	-	-	Rs.	14,800	-	-
Leaf 79 "Kurda," Chytur Vud 4th. Paid from the account of Myral Bucktee for Sumvut 1904, on account of English translate	-	-			300	-	-	22 April 1848.
Sumvut 1904. On the books of Hurree Bhugtee, leaf 31 of the "Khatayve," and leaf 51 of the Kurda.								
Hagsur Sood 15th, paid on account of these several orders, drawn in the name of Narrain Row Runchore	-	-			565	14	-	21 Dec. 1847.
Extract. Munchoo Bhaee Tappeedass was involved in great distress and pecuniary difficulties, owing to his having rendered much assistance and caused much benefit to to the Sett's interest, therefore was the above sum given to him through Narrain Ram Runchore.								
Sumvut 1904. Kurda leaf 170, on Fagun Vud 8th	-	-			417	12	-	28 March 1848.
In the books of Hurree Bugtee this amount is entered under "Kurch Khatta" on account of accompanying parties going on a pilgrimage to Dwarka, by the orders of the Setanee, paid to the Deo, from Sakee, through Vullub Kaka	-	-			350	-	-	
When the above party had come to Baroda, he came to visit the Settjees; therefore, by the orders of the Setanee was this amount paid to him, as follows:								
Sumvut 1905, leaf 344 of the Kurda, on the books of Hurree Bugtee on Ahween Sood 1st, paid on account of charities to Kaka for the erection of a munder at "Lakee"	-	-			Rs.	a.	p.	17 Sept. 1849.
	-	-			200	-	-	
Sumvut 1906, leaf 87 of Kurda, ditto ditto ditto, Post Vud 2d, on account of charities, on account of ghee for the Deo's lights and flour for days	-	-			150	-	-	31 Dec. 1849.
					350	-	-	

26 March 1849.	Sumvut 1905, leaf 165 "Kurda," ditto. Chuytur Sood 2d, credited on account of charities - - - - -	Rs. a. p. 581 11 -
	<i>Extract.</i> In consequence of the Settjee Phursotumbhaee's destiny being unfavourable, therefore, "Annstan" was caused to be performed, and at the conclusion of which the Setanee and Settjee went to the Mahadoo Ranashewr, and feasted Brahmins, and distributed charities, on which occasion the above amount had been disbursed.	
13 March 1850.	Sumvut 1906, in the books of Hurreee Bugtee, by the orders of the Setanee, it is entered, being paid on return from "Dwarka," Phagoon Vud 30th - - - - -	187 2 -
	Disbursed at Kanpoor - - - - -	Rs. a. p. 11 - -
	Ditto - Lookdah - - - - -	137 - 9
	Ditto disbursed to , sent with letters to Dw arka	148 - 9
5 January 1850.	Leaf 86 Kurda, Post Vud 7th, 21. 5. - - - - -	26 - -
3 March 1850.	Phagoon Vud 5th - - - - -	3 1 3
31 March 1850.	Chyutur Vud 4th - - - - -	10 - -
		39 1 3
		187 2 -
	<i>Extract.</i> The above amount was paid to the Kassids despatched to and arrived from Dwarka. Sums obtaining to the credit of Hurree Bhugtee at various Sowcars, through Narrain Runchore, and these Sowcars refuse paying the same without being carried to the credit of the said Narrain Runchore - - - - -	24,000 - -
	<i>viz.:</i>	Rs. a. p.
	At Mungle Luckeess - - - - -	10,000 - -
	At Kandass Wagjee - - - - -	9,000 - -
	At Purmanund Nurbeyram - - - - -	5,000 - -
	Rs. 24,000 - -	
	<i>Extract.</i> The above sums are truly due, but consequent upon the books being with the Sirkar, their realization is involved in difficulty. In the books of Samul Bugtee the following sums would appear to be due from Narrain Runchore - - - - -	43,726 - -
	<i>Extract.</i> The above truly due by Narrain Runchore, but the firm of the said Narrain Runchore was got up by the late Maharaj and Settjee, and at which time had been arranged that the Sirkar should give rupees 50,000, and that another sum of rupees 50,000 should be deposited in the said firm; and the said Narrain Runchore now says, that he had got up the firm upon the above arrangements, and that whatever may be justly due to the Sirkar and Settjee will be liquidated from the outstanding debt due to the firm, but that at the present time, without the interference and support of the Sirkar, these debts cannot be realized; and that, together with the sums advanced by the above parties, his personal funds also remain in the said firm. Therefore it is requested that the Sirkar be pleased to take into consideration the arrangements which appear to have been entered into, and cause the adjustment of this demand on account of Goomashta and honorary dresses; this amount is entered in the books of Samul Bugtee, but, notwithstanding, by the orders of the Settjee and the custom hitherto, this amount has been credited to my account - - - - -	25,224 - -
20 October 1846.	Sumvut 1902, leaf 168 of the "Kurda." On Ashveen Vud 30th, received on account of Goomashta and honorary dresses - - - - -	140 - -
	Received from Tookajee Row Kuddum, Sumvut 1899 - - - - -	100 - -
	Received from Nanna Funsu, Sumvut 1900 - - - - -	25 - -
	Received from Govind Row Annund, Sumvut 1902 - - - - -	15 - -
	Rs. 140 - -	

	Rs.	a.	p.	
Sumvut 1902, leaf 153 of the "Khurda." On Ashween 30th, stating memorandum on account of Setjee and Goomashtas.				20 October 1846.
Honorary dresses lent; upon the Goomashta bringing the books for the purpose of being examined, it was ascertained that this sum had been received only on account of my Goomashta dresses of honour; and that on account of the dresses for the Settjee a separate sum had been received, and upon inquiry this will be ascertained	3,744	-	-	
Sumvut 1902, leaf 168 of the "Khurda." In Ashween Vud 30th, in the account of the Goomashta, it is credited as under	21,340	-	-	20 October 1846.
From Sumvut 1890 to Sumvut 1902	20,206	4	-	A.D. 1844 to 1846.
On account of accounts adjusted with the Sirkar	1,133	12	-	
	Rs.	21,340	-	
	25,224	-	-	
Sumvut 1902, leaf 190 "Kurda," in the books of Samul Bhugtee, Post Vud 5th, on account of a sunnud in the name of Purshotumbhaee, as under	5,000	-	-	17 January 1846.
The explanation regarding this is given at the end, credited to my name, as under	66,320	10	6	
Sumvut 1903, in the books of Samul Bhucktee	18,230	-	-	A.D. 1846-47.
Post Sood 9th, in the 34th leaf of the Kurda	1,500	-	-	26 Dec. 1846.
Assad Sood 9th, in the 132d leaf of the Kurda	730	-	-	21 July 1847.
2d Assad Vud 30th, in the 195th leaf of the Kurda	16,000	-	-	10 August 1847.
	Rs.	18,230	-	
Sumvut 1904. In the books of Samul Bhugtee	14,371	-	-	A.D. 1848
Chytur Sood 4th, leaf 73 of the Kurda	200	-	-	7 April 1848.
Vysac Sood 14th, leaf 91, on account of presents	151	-	-	17 May 1848.
Vysac Sood 5th, leaf 97 of the Khurda	12,000	-	-	7 May 1848.
Khurda, leaf 107, from the purchase of a gold seal	20	-	-	
Khurda, leaf 47, Magsur Sood 10th	1,400	-	-	17 Dec. 1847.
Khurda, leaf 70, Chytur Sood 2d	600	-	-	5 April 1848.
	Rs.	14,371	-	
Sumvut 1905, on the books of Samul Bucktee	135	-	-	A.D. 1849.
Ready cash, on account of the purchase of the Badjeera	90	-	-	
In leaf 101 of Khurda, Vysack Vud 11th	45	-	-	18 May 1849.
	Rs.	135	-	
Sumvut 1906, in the books of Samul Bugtee	452	8	-	A.D. 1850.
In leaf 67 of the Khurda. Phagoon Sood 8th, on account of purchase of paddy	400	-	-	20 February.
2d Vysack Sood 11th, on account of ditto	52	8	-	21 May.
	Rs.	452	8	
Sumvut 1902, in the books of Hurree Bucktee, in leaf 56 of the Khatavye	4,374	9	-	A. D. 1846.
Sumvut 1903, in the books of Hurree Bucktee, in leaf 65 of the Khatavye	3,696	7	-	A. D. 1847.
Sumvut 1904, in the books of Hurree Bucktee, in leaf 61 of the Khatavye	3,521	6	-	1848.
Sumvut 1905, in the books of Hurree Bucktee, in leaf 62 of the Khatavye	3,272	9	-	1849.
Sumvut 1906, in the books of Hurree Bucktee	18,267	4	-	1850.
On account of pilgrimage	11,791	3	-	

Extract. My families, and the Setanee's mother and brother, and his wife, and the Setanee's sister, had proceeded on a pilgrimage to Dwarka; formerly, during the lifetime of the Settjee, my family had proceeded on pilgrimage to Kolapôre alone, and the expenses incurred on that occasion were paid by the Settjee; and on the present occasion my family and the Setanee's mother and family had gone, and at which time, when they were about to depart, I informed the Setanee, and by her orders were the expenses regulated in the same manner as was the custom from the commencement. The amount had been disbursed, but the expenses incurred had not been taken down, and summed up and adjusted. The above item entered, and the amounts expended besides, after being summed up, and therefrom deducted the sums, and by the others, parties who had gone upon this pilgrimage; the account of the balance after being submitted for the inspection of the Setanee, to be debited to the Settjee's, under the head of exchange.

		Rs.	a.	p.
Sundry amounts disbursed as under	- - - - -	6,476	-	-
On account of clothes from Ahmedabad	- - - - -	470	13	-
On account of nine servants	- - - - -	1,575	-	-
On account of grain	- - - - -	1,080	15	9
viz.: Wheat, 14½ kulsees	- - - - - Rs. 225 12 -			
Mut, 25 kulsees	- - - - - 300 12 -			
Cotton seeds, 14 kulsees	- - - - - 70 - - -			
Paddy	- - - - - 304 7 9			
The account of soft sugar	- - - - - 180 - - -			
	Rs. 1,080 15 9			
The above grain at the Settjee; after being properly investigated, the amount should be disbursed.				
Sundry disbursements, as follows:	- - - - -	1,176	8	3
Disbursed on account of Bombay, as under	- - - - -	2,172	12	-
Clothes and rent	- - - - - 695 - - -			
Sent to the Bargeers of Bhya Paga	- - - - - 1,477 - - -			
To Bargeers having account with the firm	- 245 - - -			
Sent on account of the Paga expenses, together with exchange	- - - - - 1,232 4			
	Rs. 1,477 4			
The above amount to be paid to the firm of Hurree Bucktee 2,172 12 -				
		6,476	1	-
		18,267	4	-
GRAND TOTAL	- - - Rs.	66,320	10	6

The above amount is entered, but after the accounts of each year are examined and adjusted on account of Goomashta and honorary dresses, the firm having inspected the account, besides what I have received, the items which remain are, together with the amount due from Sumvut 1902, on account of Goomashta and Surpao, and the amount due on account of the pilgrimage to Dwarka. The accounts should be properly inspected, and what may be found to be exactly due, together with the amount of my salary, should be, after deducting therefrom the sum due on account of the outstanding balances to Narrain Row Runchore and Purshotum Runchore, the Sirkar and Settjee being both indebted to Narrain Runchore, the balance remaining should be liquidated. The explanations remaining to be given regarding the items adverted to in the eight paragraphs are here submitted:

A. D. 1846.

A. D. 1848.

27 Sept.

20 Sept.

7 July 1849.

20 January 1846.

Particular items in the Setee Khata (blank entries) 1, No. 2, Sumvut 1904 of the Khurda.

1 Leaf 164, Bhadurwa Vud 30th	- - - - -	15,000	-	-
1 Leaf 200, 2d Bhadurwa Vud 8th	- - - - -	28,070	-	-
1 No. 4, Sumvut 1905, Assad Vud 2d	- - - - -	11,700	-	-
1 No. 8, Sumvut 1902, Khurda leaf 180, Post Vud 8th	- - - - -	5,000	-	-

The above items entered blank, the Settjee confiding upon me, consequent upon my being an old servant, and he having unlimited confidence upon me, therefore he having duly considered the subject over in his mind, he wrote and nominated me sole manager, and such being the case as appeared to me to be most favourable for the Settjee's interests to make certain necessary disbursements, I having obtained previously the sanction of the Setanee to such measure, disbursed; but if from the advice of any parties the Setanee at present deny having granted such sanction, I am helpless; even if I had done the above by my own will, I hold the written sanction of the Settjee for doing so, and in this manner does it obtain in other houses; and if this be submitted for the investigation of great and celebrated Sowcars, then the Sirkar will become satisfied that such items it is usual to enter blank. From the explanation given above the subject will become elucidated; and the cause of my being involved in my present difficulties is owing to certain Goomashtas of the Settjee, during the Settjee's lifetime, having been detected in the commission of certain frauds, and consequently chits (promissory notes) were taken from some of them for the amount which they had been guilty of defrauding, and from others such chits were not taken, and the charges against them are impending; and from amongst the above parties Peetamber Semlall was found by the Settjee to have defrauded the sum of 50,000 rupees; this amount was brought home to him, and he paid 25,000 rupees on account, and the balance of 25,000 rupees is still due by him, and the other Goomashtas, Damodhur Doolub, Dulput Kesewdass, Itcharam Vunarsee, and Bappoojee Khoobairdass, these parties were found to be guilty of having committed a fraud to the extent of 20,000 rupees, and recently, during my administration of the affairs of the firm, Bugwan Bowaneedass has been proved to have defrauded the sum of 5,000 rupees, thus making in all on account of these speculations the sum of 50,000 rupees, and therefore the whole of the above-named parties consider me as an obstacle in their way, and consequently they have resorted to every means in their power to misrepresent things, and intriguing have got up a plot against me, and of the

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the same standing as myself, many goomashtas were in Baroda, that is, Sewlall Paruck, Bachur Munkee, Mooljee Paruck, Bappoo Hurguddeeya, and Ram Bhow of Ruttonjee Khandass; the above five names are given, and these parties had not displayed more zeal and attention in the discharge of their duties than I have done, and this will be ascertained upon a reference to old inhabitants of this place who may be acquainted with the extent of their wealth, &c.; and as for my part, I am under your charge, and you must have investigated the affair in every way, and if you still entertain any doubts, you should institute further inquiries regarding them. And further, I am a poor Brahmin, burthened with a family; this you should bear in mind, and fearing God and our religion, you should consider my case, when it will become elucidated, and I did not do any of the Settjee's business from fraudulent motives, because the Settjee is a child and I in the decline of life, and Betchurbhaee Settjee had hundreds of goomashtas and relations, &c., to whom he did not entrust his affairs, but entrusted his affairs solely to me, therefore I had entertained the hope of conducting the whole of the business of Settjee, agreeably to the Settjee's written instructions; upon the adjustment of the existing disputes, and upon the celebration of Purshotumbhaee's marriage, and for the realization of the above expectations, if a few rupees more or less have been expended, in the same manner has the business of the firm been increased and money earned, and upon inquiry this will become known, and what I have done, I did in accordance with the Settjee's written instructions.

(signed) *Wamon Row Venkettesh Nafra,*

In his own hand-writing.

(True translation.)

(signed) *M. Batty, Assistant Resident.*

Appendix (A.) No. 3.

TRANSLATE of a Yad, dated Poush Vud 2d, Sumvut 1907 (A.D. 19 January 1851), from the Firm of Hurree Bhugtee, showing the Claims existing against Baba Nafra, as ascertained in examining the Books, &c., of the said Firm, upon the receipt of the Baba's Memorandum of Explanations.

	Rs.	a.	p.	Rs.	a.	p.
No. 1. The items debited to the firm by blank entries	-	-	-	35,500	-	-
On Vysack Sood 6th, Sumvut 1901, paid through Hurreya Khidmutgar - - - - -	20,000	-	-			
Regarding this item, the Baba states, in his explanation, that he knows nothing about it; but, upon interrogating Hurreya Khidmutgar, it would appear that this amount had been, by the said Khidmutgar, taken to the house of the Baba, and upon this point an investigation took place at the Residency.						
Entries made in Sumvut 1903 - - - - -	15,300	-	-			
The item on account of the Mharwarree - 12,050						
Amounting to 200 rupees, stated to have been paid by the orders of the Settanee, consequent upon medicines being prepared for Purshotumbhaee, and on other items, of rupees 11,850, credited in the books of the firm; regarding these entries there is no dispute.						
Paid through Damother - - - - - 2,850						
Regarding the above entry, Baba writes, that the sum of 1,750 rupees had been disbursed on account of "Annoostan," and that the sum of 1,100 rupees had been given to Lulloo Bhugwan, on account of the Meetapoor affair, but the particulars of such payments are not written in the books, and the Setanee and the goomashtas deny that this amount had been disbursed on account, as stated above. And upon interrogating Damother, it would appear that the above amount had been delivered at the house of the Baba, consequently this sum remains due to the firm by the Baba.						
Amount by ready cash credited rupees - - - 400						
This amount the Baba states had been given to Lulloo Bhugwan, but no such cause for the disbursement of this amount exist in the books of the firm; and further, the Setanee also denies having any knowledge about the affair; consequently, it cannot be admitted. In the books of the firm, as "Oopar Tupka," it is written in Sumvut 1903.						
Carried forward - - - Rs.	35,300	-	-	35,500	-	-

	Rs.	a.	p.	Rs.	a.	p.
Brought forward - - -	35,300	-	-	35,500	-	-
Paid to Bharrote Runchore Govind - - -	200	-	-			
Regarding this item, the Baba states that it might have been disbursed on account of the Meetapoor affair; but the particulars of this transaction do not obtain upon the books of the firm, and neither the Setanee nor the goomashtas know anything about this amount having been paid to the Bharrote, therefore, this sum also is inadmissible.						
TOTAL - - - -	Rs.			35,500	-	-
No. 2. Entries made in the books, showing in the case of some of them, through whom disbursed, and in others this information not supplied -				58,682	5	9
Amount of two items of Sumvut 1901 - - -	1,300	-	-			
Regarding this sum, the Baba, in his explanation, says that this amount having been expended during the Shetjee's lifetime, he knows nothing about it; but this amount would appear to have been disbursed to the Akkeemjee, through the Baba, and such being the case, he is desirous of removing the onus of the affair from his own shoulders; but, notwithstanding, since the amount had been expended on account of the Sett, we admit it.						
Sumvut 1903; two items are credited, amounting to -	228	-	-			
Regarding this amount, the Baba says that it had been disbursed on account of the preparation of certain English papers; but if any English documents had been copied, memorandum regarding them would have existed at the firm, which, however, is not the case; neither does any one connected with the firm know anything about it; and further, the sum of 12 rupees is debited on account of exchange for the conversion of 105 Babasaee rupees into Surat rupees; therefore, if the above sum had been paid for the preparation of English copies of documents, what necessity existed for procuring Surat rupees? In cases of the above description, it is usual to make payments in Babashaee rupees, and as it does not appear that the above amount had been expended on account of anything done for the firm, this amount is consequently inadmissible.						
Sumvut 1904. Amount for two entries - - -	43,070	-	-			
Regarding this sum the Baba had promised to give an explanation at the end, however, he does not appear to have done so, further than saying that it was expended for the benefit of the firm; but to whom this amount had been paid, and the nature of the benefits resulting from the disbursements of this amount, does not appear; and the cause of making such disbursements not having been noticed in the books, the sum of 28,070 rupees has been debited to the name of Bechurbhaee, from which amount the Baba caused to be credited in his own name, to the firm of Nairain Runchore, the sum of rupees 20,070, and afterwards this amount was taken to his own shop; and 5,000 rupees he took on the very same day, and in this manner, for the purpose of committing a fraud, did he, in a roundabout way, debit and credit the same; therefore, it is evident that this sum had been expended, not on account of the firm, but appropriated to his own personal use.						
Sumvut 1905 - - - - -	13,661	12	-			
On Kartug Vud 30th, the Baba writes that 2,000 rupees had been expended through Wuzzoobhaee; and as Wuzzoobhaee admits having disbursed the amount on account of the firm, it is admitted as correct - - - 2,000 - -						
Amount included in two entries - - -	11,661	12	-			
Carried forward - - - Rs.	58,259	12	-	94,182	5	9

Brought forward - - -		Rs. a. p.	Rs. a. p.
From this amount, the sum of 150 rupees is stated to have been disbursed on account of "Annoostan" sacrifices, and Rs. 11,287. 8. is stated to have been expended on account at Bombay, and the sum of Rs. 224. 4. is stated to have been paid for writing English papers. The above is the explanation given by the Baba; but no proofs exist in the books of the firm of the disbursements being made in such manner, and nobody has any knowledge of the "Amoostan" or the English writing; but 150 rupees is written in the books as having been paid through the Baba's private gomashtha, Runchore, and the sum of Rs. 11,511. 12. would appear to have been credited to the Baba's private shop. This amount having been thus appropriated to the Baba's private use, therefore it is inadmissible.		58,259 12 -	94,182 5 9
Sumvut 1906 - - - - -		422 9 9	
Baba explains that the above amount had been expended on account of "Annoostan;" but nobody seems to have any recollection regarding the "Annoostan;" and further, the same not being noticed in the books of the firm, it is inadmissible.			
TOTAL - - - Rs.		58,682 9 -	
No. 3. - - - - -			1,260 - -
The amount of these entries have been permitted to remain, but the names of the parties through whom paid have been erased. Regarding this the Baba, in his explanation, writes that this amount had been taken away by Lulloo Bhugwan, and that the entries had been scratched out, with the view of involving him in trouble; but nobody has any recollection of this amount having been paid to Lulloo Bhugwan, and the reason for which it had been given not having been entered in the books, therefore it is inadmissible.			
No. 4. - - - - -			37,415 8 -
On account of Bombay vakeel, as follows: Amount admitted as correct - - - Rs.		8,545 - -	
Parties at Bombay, without cause, having attached my house there, this amount is in deposit in the Supreme Court - - -		8,334	
Expense incurred consequent upon sending Dwarka Kandass to Bombay upon business		201	
Total amount admitted - - - Rs.		8,545	
The Baba, in his explanation, desired that the account of the money expended at Bombay should be taken from vakeel Joutee Eshver, and others; but this vakeel had been sent by the Baba himself, and he was a stranger to the firm; and, moreover, the Setanee had not sanctioned his being sent, consequently the Baba should explain where the vakeel had expended this amount; how and for what reason; and should show the benefit resulting from such disbursements, otherwise he should be held responsible for this amount -		28,870 8 -	
Rs.		37,415 8 -	
No. 5. - - - - -			664 8 -
From this amount the sum of 100 rupees is debited and credited on account of Meetapoor; 100 rupees, as given by an order to Pertaub Bharrote, being an old frequenter of the firm; besides 400 rupees in cash for his expenses, and Rs. 64. 8. expended on account of havildar. The above is the explanation given by the Baba. But he should be required to point out where and why the sum of 100 rupees is credited on account of Meetapoor; and as for Purtaub Bharrote, nobody knows this individual at the firm, neither did he ever call there, and the amount said to have been given to Dada, nobody knows anything about this also. Therefore the explanation given by the Baba about this amount is inadmissible.			
Carried forward - - - Rs.		1,33,522 5 9	

		R.	a.	p.
Brought forward - - -		1,33,522	5	9
No. 6. - - - - -		10,953	9	3
In the Baba's explanation he writes, that this amount had been expended by the orders of the Setanee, on account of Moteela Ubhaee's "Bharsa" ceremonies. This disbursement is admitted. But regarding the presents, "Ayre," according to the usage on such occasions in other firms, and of the Sirkar, there obtains no memorandum of particulars; neither is it carried to the credit of the firm, and about 8,000 rupees worth of "Ayers" (marriage offerings) had been received. Therefore the Baba should be called upon to submit a detailed account of such presents.				
No. 7. Regarding sundries - - - - -		17,382	-	-
Items admitted, as under - - - - -		1,257	-	-
Amount paid to Wuzzoobhaee Vankeedass - - - - -	500			
Paid to Seetaram Jemedar. A bond would appear to have been taken, and the money advanced from the firm - - - - -	725			
Amount paid on account of "Gheem." This had been expended on account of the firm - - - - -	32			
	Rs. 1,257			
Items inadmissible, regarding which no information is given - - - - -		16,125	-	-
	Rs. 17,382			
Baba, in his explanation, writes that the sum of 15,000 rupees had been paid to Lulloo Bhugwan, in Sumvut 1903. But to the firm it would appear that, through Teekum Bhookun, this sum had been credited to the account of Hurgovind Noorotum; and the same amount had been repeatedly debited and credited; this, together with the cause of the disbursement of such a large sum of money, and the benefits resulting therefrom to the firm, should be shown, or the amount refunded by the Baba. Rupees 500 the Baba states had been given on account of a petition which had been made out; but what was the nature of such a petition, and why such a large sum was given for the writing thereof, the Baba should be called upon to explain, and to point out in detail the benefit arising from this petition, or he should be made to refund this amount. The Baba writes that, in Sumvut 1904, 125 rupees had been given in lieu of a pair of shawls to Deysaee Dyashunker, but for what purpose this present had been made not being known to anybody, and the Setanee not having sanctioned the measure, it is inadmissible. Regarding the sum of rupees 500, the Baba writes, that from Sumvut 1905, Tattyaba had been managing the business of Ruttonjee Kandass, and that consequently this sum had been given to him. But Tattyaba was never a servant of this firm; and as he had served in the firm of Ruttonjee Kandass, why should he be paid from this firm? Therefore this explanation is inadmissible.				
		15,000	-	-
		500	-	-
		125	-	-
		500	-	-
	Rs. 16,125			
No. 8. - - - - -		1,89,507	12	3
Amount drawn by Wamunrow Baba, in account:				
The amount due by the Baba in account, which he admits should be paid to the firm - - - - -		66,279	-	6
Amount drawn by the Baba, on account of the wages of his sons for four years - - - - -		14,800	-	-
But these boys had not been employed with the sanction of the Setanee, and it is not usual in the firm to pay to the goomashtas such exorbitant wages as rupees 1,000 or 1,500 - - - - -		8,000	-	-
Carried forward - - - - -	Rs. 89,079	-	6	3,51,365 11 3

	Rs.	a.	p.	Rs.	a.	p.
Brought forward - - -	89,079	-	6	3,51,365	11	3
The Baba, in his explanation, states that the above amount had been taken on account of the second wedding of his two sons. But the Setanee had not sanctioned this outlay, and the usage on such occasions is, that when the sons of monims are a second time wedded, only the sum of 1,000 rupees is allowed, and in accordance with such usage, the Baba had been allowed credit, which should be debited in favour of the Baba, and the balance he should be made to refund.						
	30,234	9	9			
The Baba states that the above amount had been taken on account of Goomashta, and "Sirpao" presents; but this amount it is usual for the monim and goomashtas, agreeable to their respective standing, to divide amongst themselves, therefore according to the past usage, this amount should be refunded, viz.:						
Received by the Baba from the firm of						
Samul Bhugtee - - - Rs.	25,224	-	-			
Received by the Baba from the firm of						
Hurree Bhugtee - - -	5,010	9	9			
	30,234	9	9			
	5,000	-	-			
The Baba having stated that this amount had been disbursed on account of Purshotumbhaee, he should be called upon to explain to whom, and under what circumstances the above amount had been disbursed.						
	300	-	-			
The Baba states that this disbursement had been made on account of translations, therefore, he should submit the particulars of this affair, that is the subject and cause of getting such translations made. These particulars, regarding the sum of 300 rupees, should be furnished, otherwise the amount should be refunded.						
	6,000	-	-			
The Baba states that this amount had been disbursed on the occasions of his sons' wives coming of age ("Ruttoo Shantee"), but, as the ceremony of the "Ruttoo Shantee" is observed amongst the Duck-nees, so the Goozrattees observe the "Huggurnee," and the usage of the firm on such occasions, is to allow the disbursement of 500 rupees, according to which practice the Baba should be credited, and the balance remaining he should be called upon to refund, for for the extra amount, drawn by the Baba, he had not obtained the Setanee's permission.						
	10,812	8	-			
The Baba states that the above amount had been drawn by him with the sanction of the Settjee and Setanee, for the erection of a "Ramjee Mundeer" temple. But it would appear that no permission for this disbursement had been obtained by the Baba from anybody; moreover, the "Ramjee Mundeer" had been completed during the Settjee's lifetime, and the idol located therein; therefore, if this measure had the sanction of the Settjee, the amount would have been at the time carried to account; but this does not appear to have been the case, but four years after the Settjee's death, the Baba would appear to have, of his own pleasure, carried this amount to account; and further, the former moonim of the firm, Paruck Sewlal, had erected a "Mundeer," but the amount expended on account thereof had not been disbursed from the firm, consequently it is inadmissible.						
Carried forward - - - Rs.	1,41,426	2	3	3,51,365	11	3

		<i>Rs.</i>	<i>a.</i>	<i>p.</i>	<i>Rs.</i>	<i>a.</i>	<i>p.</i>
Brought forward - - -		1,41,426	2	3	3,51,365	11	3
		43,726	-	-			
This amount the Baba admits to be due to the firm by Narrayen Runchore, therefore it should be caused to be paid up.							
		565	14	-			
This amount the Baba states had been presented to Munchoobae, in consequence of this individual's being involved in distress, and he having caused much benefit to accrue to the firm by his exertions. But it should be shown by the Baba, the nature of such benefits. This amount would appear to have been due by the said Munchoobae to the private firm of the Baba, under the designation of Narrain Runchore, and upon the demise of this individual, the amount had been credited from this firm to that of the Baba's private one, under the name of this individual.							
		604	14	-			
This amount the Baba states had been expended with the sanction of the Setanee, on account of the pilgrimage to Dwarka, but upon the occasion of the Baba's wife going upon this pilgrimage, the expenses had not been disbursed by the firm, neither did the Setanee sanction any such disbursement, consequently this is inadmissible.							
		45	-	-			
This amount being stated to have been paid to Phoollee, woman, on account of her wages. But this woman had not been employed in the firm, consequently this disbursement is inadmissible.							
Items admissible - - - - -		3,139	14	-			
	<i>Rs.</i>	1,89,507	12	3			
Charities said to have been disbursed by the orders of the Setanee as under							
On account of annual charities - - -	350 - -	931	14	-			
"Oonnoostan" - - -	581 14 -						
<i>Rs.</i>	931 14 -						
Received by the Baba on account of his services, admitted - - -							
	2,208 - -						
<i>Rs.</i>	3,139 14 -						
ABSTRACT.							
Admissible - - - -	3,139 14 -						
Inadmissible - - - -	1,86,367 14 3						
		1,89,507	12	3			
GRAND TOTAL - - - <i>Rs.</i>		3,51,365	11	3			
From the Books of Narrain Runchore:							
The entry No. 1 of the Statement, no proof exists regarding this item in the firm - - - - -					30,636	3	9
The entry No. 8 of the Statement, Sumvut 1902, by mistake twice entered - - - - -					5,000	-	-
		<i>Rs.</i>	3,87,001	15	-		
Amount due by the Baba to the firm, not mentioned in the Statement -					62,287	-	-
Due by the Baba on account for Sumvut 1901 - - -					36,372	13	6
Amount credited to the name of Narrain Runchore, and caused to be credited at various places - - -					24,000	-	-
Carried forward - - <i>Rs.</i>		60,372	13	6	4,49,288	15	-

	<i>Rs.</i>	<i>a.</i>	<i>p.</i>	<i>Rs.</i>	<i>a.</i>	<i>p.</i>
Brought forward - - -	60,372	13	6	4,49,288	15	-
This amount he has caused to be credited to his own name at the various Parucks, but this amount belongs to the firm, which the Baba also admits; consequently, it should be caused to be refunded.						
Drawn by the Baba on account of Meetapoor and Amleeara - - - - -	1,914	2	-			
This amount should be accounted for by the Baba or paid.						
TOTAL - - - <i>Rs.</i>	62,287	-	-			
GRAND TOTAL - - - <i>Rs.</i>				4,49,288	15	-

ABSTRACT.

SUBJECT.	TOTAL.	Admissible.	Inadmissible.	Payments made direct by Baba Nafra.
	<i>Rs.</i> <i>a.</i> <i>p.</i>	<i>Rs.</i> <i>a.</i> <i>p.</i>	<i>Rs.</i> <i>a.</i> <i>p.</i>	<i>Rs.</i> <i>a.</i> <i>p.</i>
1. Debited by blank entries - - -	35,500 - -	12,050 - -	23,450 - -	- - -
2. Ditto without showing cause - -	58,682 5 9	3,300 - -	55,382 5 9	- - -
3. Ditto amount left, but Names scratched out - - -	1,260 - -	- - -	1,260 - -	- - -
4. Ditto on account of Bombay - -	37,415 8 -	8,545 - -	28,870 8 -	- - -
5. Ditto on account of Meetapoor - -	664 8 -	- - -	664 8 -	- - -
6. Ditto on account of Mooteelallbhaee's "Barsa" - - -	10,953 9 3	10,953 9 3	- - -	- - -
7. Ditto on account of Sundries - -	17,382 - -	1,257 - -	16,125 - -	- - -
8. Ditto on account of Amount drawn by the Baba - - -	1,89,507 12 3	3,139 14 -	1,86,367 14 3	- - -
TOTAL - - - <i>Rs.</i>	3,51,365 11 3	39,245 3 3	3,12,120 4 -	- - -
Amount twice entered of the Statement Drawn on the Books of Narrain Runchore - - - - -	5,000 - -	5,000 - -	- - -	- - -
	30,636 3 9	- - -	- - -	30,636 3 9
	3,87,001 15 -	44,245 3 3	3,12,120 4 -	30,636 3 9
Amount due by the Baba not entered in the Statement, and on account of extraordinary entries - - -	62,287 4 -	- - -	62,287 - -	- - -
GRAND TOTAL - - - <i>Rs.</i>	4,49,288 15 -	44,245 3 3	3,74,407 8 -	30,636 3 9

Besides the above, cash and grain, taken by the Baba from the custom duties, farmed from the Sirkar; from the villages; from the firm grain depôt, and from the accounts of the branch houses, which have not been entered and remain as a separate claim against the Baba.

The Baba has been allowed credit for the amount stated to have been disbursed on account of Mooteelallbhaee's "Barsa." But the presents "Ayres" which had been received from the Sirkar and other firms, and from the goomashtas, have not been credited to the firm, therefore on account of this a further sum of about 8,000 rupees is to be realized from the Baba.

According to the above, it appears from the books of the firm, and to establish a custom, the Baba had caused the above amounts to be entered in the books by blank entries, entries in which the name of the party through whom disbursed had been omitted, and by entries in which the cause of the disbursement is not shown; also by entries of a questionable nature. In explanation, the Baba, at the conclusion of his yad, writes, that as he had administered the affairs of the firm, being duly empowered so to do, he had caused these disbursements to be made for the benefit of the firm, but the Baba gives no particulars, and further, the Baba writes, that this practice is also followed in other firms; but "Leeteekata" and other disbursements are never made without the sanction of the Settjee (owner of the firm); and in case of the Settjee not being present at the time, and such disbursements being indispensably required to be made for the benefit of the firm, then a memorandum of the particular benefits expected to result from such disbursements, is made to be submitted for the information of the Settjee whenever required. If such

particulars of information be not produced, then the party making such disbursement is held personally responsible for the amount so disbursed. This is the usage, agreeably to which the Baba should furnish the necessary particulars, otherwise the Sirkar should cause him to liquidate the amount.

Dated Poush Vud 2d, Sumvut 1907.

According to the above, inquiries were made of Mahaluxmeebhaee, Wuzzoobhaee, Itcharam, the moonim of both the firms; Damothur Bheyejee, treasurer, Bhugwan Bowanee, and the other goomashtas; agreeably to the information given by them is this yad drawn up by me.

(signed) *Peetamber Sewlall,*
Nisbut Hurree Bhugtee Parue.

(True copy.)
(signed) Sumbooram Khoosall.

(True translation.)
(signed) M. Battye, Assistant Resident.

Appendix (D.) No. 1.

EXTRACT from the Examination of Mahaluxmeebhaee, taken on the 9th January 1851.

Question. You state that you have never seen the deed (will), but before the Settjee's death did he impart to you, being the mother of his son, and to the younger Settanee, any instructions regarding the management of the firm?—*Answer.* After the Settjee had had the fit, when he had recovered, he caused to be assembled the Baba, Killedar Bappoojee, Bhyjee Moonim, Dulput, and Damoodhur; and he said to them, "Purshotumbhaee being young, the whole of you conjointly should conduct my affairs, and proceed in such a manner as to secure success and profit, and for the due and faithful discharge of this trust, you should all swear." And having said so, he caused the whole of them to swear by Shree Dwarkanathjee; the above I am aware of; and in the presence of every one, the Settjee thus made over charge of his affairs to them, and at the same time, the above five persons being present, he made over his keys to the charge of Baba, and enjoined the whole of them to work unitedly and conjointly together regarding his affairs.

(signed) *Baee Mahaluxmeebhaee,*
In the handwriting of Wujooobhaee Vanchidass.

No. 2.

TRANSLATE of the Deposition of Bappoojee Koobeir; Religion, Hindoo; Caste, Veesasad Banian; Occupation, Goomashta to the firm of Hurree Bhugtee; aged 57 years; Inhabitant of Baroda; taken upon oath before the Resident on the 23d February 1851.

Question. FROM the date of the demise of Sett Bechurbhaee up to the present time, have you been continuously employed at the Settjee's; and if you have, state in what capacity?—*Answer.* After the demise of Sett Bechurbhaee, Baba Nafra, on the 11th Falgoon Sood, Sumvut 1903 (25th February 1847), discharged me. I was in charge of the potdaree keys of the firm of Samul Bhugtee, which the Baba took from me; after this, although I am in the habit of frequenting the firm, yet no duties have been assigned to me.

What induced the Baba to deprive you of the keys of the potdaree?—It was the intention of the Baba to intrigue against Joetabhaee Setanee's son, and I being an old servant, and further being related to Joetabhaee, the Baba feared that I would disclose to Joetabhaee anything which might come to my knowledge, and with the view of preventing this, he was induced to dismiss me from my employ, and deprive me of the business I used to perform; but recently, after the expulsion of Baba Nafra, I have been reinstated in my former appointment in the firm.

How many "jamdurkhanas" are there at the firm, and by whom are they opened, and who has the charge of the keys?—There are two jamdurkhanas at the firm, one large and the other small; and, from the date of the demise of Sett Bechurbhaee, the Baba has had charge of the keys; the large jamdurkhana is never opened, but the small one the Baba used personally to open.

Upon the occasions when the Baba used to open the small jamdurkhana, used you to accompany him. And further, how many times might this small jamdurkhana have been opened by the Baba?—The Baba had opened the small jamdurkhana very often, but whenever he did so, he never permitted any of us to accompany him.

Are you aware what the Baba had taken out from the small jamdurkhana when he used to open it?—As the Baba never permitted me to accompany him when he used to open the jamdurkhana, how am I to know what he might have taken therefrom.

Previously to the demise of the Sett Bechurbhaee, he would appear to have made out his will, and appointed Baba Nafra to the sole management of the affairs of the firm, &c.; and, as your name appears upon this will, you are required to state what you know of this transaction, and regarding your name being endorsed upon this will?—I know nothing whatever about the Settjee having appointed the Baba to the sole management of the affairs

affairs of the firm, about the Settjee's having made out his will, or of the insertion of my name upon any such will. But the Settjee, previously to his death, one day said to me, "Purshotumbhaee is small, therefore do not cheat him; and, as you are an old servant, continue serving with single-mindedness," &c.

What rule obtained during the Settjee's lifetime, with reference to the opening of the small jamdurkhana belonging to the firm, and who used generally to open it?—During the Settjee's lifetime, he used personally to open the jamdurkhana and take out what was needed, and of what he took out from, or deposited therein, a memorandum used to be made, and which memorandum used to be kept in a chest in the jamdurkhana.

From what do you know that a memorandum used to be made of what the Settjee used to take from or deposit in the jamdurkhana?—Upon some occasions, when the Settjee used to open the jamdurkhana, I used to attend him there, and upon such occasions, having witnessed the Settjee making the memorandum, therefore I know.

Where might such memorandum be at present?—As the Settjee used to keep it in a chest in the jamdurkhana, it must be there.

Dated as above.

(signed) *Goomashta Bappojee Koobair,*
In his own handwriting.

No. 3.

TRANSLATE of the Deposition of Dulpuram Kessow; Religion, Hindoo; Caste, Veetalad Banian; Occupation, Goomashta to the Firm of Hurree Bugtee; aged about 53 years; Inhabitant of Baroda; taken on Oath before the Resident, on the 23d February 1851.

FROM the date of Bechurbhaee's death, up to the present time, have you been continuously employed at the Sett's, and if so, in what capacity?—After the demise of Bechurbhaee on Chytur Vud 12th, Sumvut 1903 (April 2th, 1847), Baba Nafra deprived me of the books in my charge. I was employed to write out hoochidees, letters, &c., and the Baba delivered over the books to Itcharam, and from the above date up to the present day, I have not been asked to do any work.

What induced Baba Nafra to deprive you of your work?—He had concocted an intrigue against the son of Joetabhaee, and being an old servant, therefore he was afraid that I might discover the plot to Joetabhaee Setanee, which induced him to act as he did.

How many jamdurkhanas were there at the firm, and who used to open them, and who had the charge of the keys?—There are two jamdurkhanas at the firm, of which one is large and the other small, and the keys thereof, after the demise of the Sett, continued with Baba Nafra; the large jamdurkhana used not to be opened, and as for the small one, the Baba alone used to open it, and used never to allow any of us to be near him upon his doing so.

How often might the Baba have opened this jamdurkhana, and what did he take therefrom, are you aware of?—The Baba has opened the jamdurkhana about 10 or 30 times, but what he took therefrom, not being present upon such occasions, how should I know?

The will drawn up by the Settjee before his death, appointing Baba Nafra to the sole management of his affairs, bears your name upon it; therefore you are required to state what you know of it, or of the drawing up of the will, &c.?—I know nothing whatever about the existence of my name upon this will, or about the execution thereof; neither did the Baba ever mention anything about this affair to me.

During the Sett's lifetime, used he to open the jamdurkhana, or how?—The Sett used personally to open the jamdurkhana, but no other person was permitted to do so.

Used a memorandum to be made about what the Settjee used to deposit in or take from these jamdurkhanas?—Yes, a memorandum used to be made about it, which memorandum the Sett used to deposit in the jamdurkhana, and never leave out; consequently such memorandum should be in the jamdurkhana.

Dated 23d February 1851.

(signed) *Dulpuram Khessow,*
In his own handwriting.

No. 4.

TRANSLATE of the Deposition of Damodhur Dhoollub; Religion, Hindoo; Caste, Vaida Banian; Occupation, Goomashta to the Firm of Hurree Bhugtee; aged about 42 years; Inhabitant of Baroda; taken on Oath before the Resident, on the 23d February 1851.

FROM the date of the demise of Bechurbhaee up to the present day, have you been continuously employed as a goomashta in the firm or otherwise; and if you have been so employed, what is the nature of the duties you are called upon to discharge?—I have been, from the date of the Settjee's demise up to the present time, continued in my appointment as goomashta, and from the same date I have been discharging the duties of moomin goomashta in the firm of Samul Bhugtee, and at the present date I continue discharging the same duties.

How many jamdurkhanas are there at the firm, and who has charge of the keys thereof; and when they are required to be opened; by whom, and in what manner are they opened; this you should disclose?—There are two jamdurkhanas, of which, one is large, and the other small; the large one is never opened, and as for the small one which is in

current use, its keys, together with those belonging to the large jamdurkhana, from the date of the Sett's death, have continued in the charge of the Baba, and whenever it be necessary to open the small jamdurkhana, the Baba alone used to do so personally, but he never allowed us to be near him when he used to do so.

After the demise of the Sett, how often did the Baba open the small jamdurkhana, and what did he take out therefrom?—He opened it about five or seven times, it is true; but since we were not permitted to be near him when he did so, how am I to know what he took out, or what he did?

What rule obtained during the Settjee's lifetime with reference to the opening of the jamdurkhanas of the firm?—During the Sett's lifetime he used to open the jamdurkhana himself personally in my presence, and whatever he took out was taken out in my presence, and the same with the deposits; but after the Settjee's demise, the Baba used to open the jamdurkhana, as detailed above.

A month preceding the death of the Sett, he made out his will, and appointed the Baba to the sole management of his affairs, and upon this will your name obtains; consequently you are required to state whether you have any knowledge about it, or whether the Baba had ever mentioned the affair to you?—I know nothing whatever about the execution of the will in the Baba's favour, of the appointment of the Baba to the sole charge of the affairs of the firm, or of the insertion of my name in this document. I learnt, however, after the Settjee's death, from rumour, that the Baba had obtained a deed from the Settjee so appointing him, and further I know nothing.

(signed) *Damodhur Dullub,*
In his own handwriting.

No. 5.

TRANSLATE of the Deposition of Bhyjee Ghella; Religion, Hindoo; Caste, Dussa Surmallee Banian; Occupation, Goomashta to the Firm of Hurree Bhugtee; aged about 40 years; Inhabitant of Baroda; taken on Oath before the Resident, on the 23d February 1851.

FROM the date of Bechurbhaee's death up to the present time, have you been continuously employed at the Settjee's, and if you have, state in what capacity?—After the demise of my Sett, Bechurbhaee, up to Chytur Sood 15th, Sumvut 1906 (27th March 1850), I had continued employed as "keeleedar" (treasurer) to the firm of Hurree Bhugtee; but on the 1st Chytur Vud (28th March), Sumvut 1906 (1850), the Baba discharged me from my situation, and kept me a prisoner at my own house, under a guard he sent there, and afterwards demanded and obtained the keys of the treasury from me.

State what induced the Baba to discharge you on Chytur Vud 1st, Sumvut 1906 (28th March 1850), and take from you the keys?—Ten days before I had been placed in confinement, the Baba remarked, to myself, Lulloo, Bhugwan, and Nurrotum Eshver, that we four were continually talking about Joetabhaee, who had gone to Bombay, and her son, and he desired us for the future to refrain from talking upon this subject, otherwise that he would bring about our ruin, and dismiss us from our situations. Hereupon I said that he was accusing me falsely, and desired him to prove his assertions; and I further added, that I knew nothing about the matter, and then went away to my home. On this account he bore malice against me, and caused me to be incarcerated, and discharged me.

How many jamdarkhanas are there at the firm of Hurree Bhugtee, and who has the charge of the keys, and who generally opens them?—There are two jamdarkhanas, one large, and the other small; and the keys of both of them, from the date of the demise of Sett Bechurbhaee, the Baba has obtained possession of; the large jamdarkhana is never opened, but it was usual to open the small one; and as the keys were with the Baba, he used to go and personally open the jamdarkhana by himself; and he used not to permit any of us to accompany him upon such occasions.

How often might the Baba have opened this small jamdarkhana, after the death of the Settjee, and what did he take therefrom?—The keys being with him, he opened the jamdarkhana at pleasure; I do not, however, recollect the exact number of times, but he must have opened it about 20 or 25 times; but as I was not permitted to be near him when he used to do so, therefore I know not what he might have taken out therefrom.

Who used to open the small jamdarkhana during the Sett's lifetime, and who used to have charge of the keys of it?—During the Settjee's lifetime, the keys of the small jamdarkhana used to be kept at the guard-room, but the keys of the boxes that were in the jamdarkhana the Settjee used to keep himself; and when there was any occasion for opening the jamdarkhana, the Settjee used personally to go and open it, and take out what was wanted; and if he had anything to deposit therein, he used in the same manner to do so; and this was the rule which then obtained.

Do you know what this jamdarkhana contained?—I know not; but Sett Bechurbhaee knew.

Before the Settjee's death, he made out a will, and therein appointed the Baba to the sole management of his affairs, and in this will your name obtains; therefore you are required to state what you know about this subject, or whether the Baba had mentioned anything to you about it?—I know nothing about the Sett's having appointed the Baba to the sole charge of his affairs, and only became acquainted with it when this will had been presented to the Sirkar; the Baba never said anything to me about this affair.

Was

Was it usual to keep in the small jamdarkhana, or with the Settjee, a memorandum of the joys and jewels, &c., deposited in the small jamdarkhana?—Yes; during the Settjee's lifetime a memorandum used to be made of the contents of the small jamdarkhana by the Settjee himself, and kept in one of the boxes in the said jamdarkhana; but such proof never used to be kept outside, and after the demise of the Sett, the memorandum drawn up by the Sett must be in the said jamdarkhana; but whether it be there now, or whether the Baba has taken it away, how should I know? Such can only be ascertained by examining the said jamdarkhana.

(signed) *Bhyjee Ghella,*
In his own handwriting.

(True translation.)

(signed) C. M. Baitye, Assistant Resident.

Appendix (E.) No. 1.

TRANSLATE of a Yad from His Highness the Gaekwar to the Resident, dated 8th Jilley (4th October 1851).

IN reply to the Residency yad, No. 561, 27th May 1851, I beg to state, that when the proceedings of the examination of Hurree Bhugtee's treasury, written and submitted by Gopal Row Myral, Trimbuck Shastree, Venaik Suddasew, and Motteelall Samul, in presence of Soorujram Gungaram, Residency Native Agent, the latter, on being asked, said that the inquiry was instituted in his presence; after which Gopal Row got the proceedings signed by all the members of the Committee, a copy of which is herewith enclosed, together with one of its enclosures, from which everything will be known.

Enclosure No. 1 of the above.

TRANSLATE of a Yad from Gopal Row Myral, Trimbuck Shastree, Munohur Judge, Venaik Suddasew Turnish Dufterdar, and Motteelall Samuldass Pareek, to his Highness the Gaekwar, dated Asso Sood 5th, Tuesday, Sumvut 1907 (30th September 1851).

HIS Highness ordered us to examine the small treasury of Hurree Bhugtee in presence of Surujrambhaee, the Residency Native Agent, the moonim of the firm, Peetamberbhaee, and the fathers of both Setanees, to ascertain what jewels, &c., were in it at the time of Bechurbhaee's death, to report upon the deficiency which may appear, by comparing them with the yad of its contents, which was made out by the deceased, and to show in detail whatever may appear to have been expended from it on account of the firm, as well as those which may have been appropriated by Baba for his own private use, or kept anywhere else, as also to report the balance remaining in the treasury.

In accordance with this order, we caused the treasury to be opened by Hurria Khismutgar, he being considered an experienced person, and in the presence of Vujooobhaee, father of Mahaluxmee Setanee, Bhanabhaee, father of Joitee Setanee, Peetamburbhaee, moonim of the firm, and Radeshuree Soorujrambhaee, proceeded with the inspection, the result of which is as follows :—

There appeared two rooms in this small jamdarkhana, containing ornaments of precious stones, gold and silver, cloth in bales, and papers, &c., as detailed in the proceedings of the inquiry which have been prepared by Heerachuud Soorujram and the moonim of the firm respectively, on the part of the Resident, his Highness, and the firm, which, if referred to, will show the result of the daily inquiry, as well as the contents now remaining in the treasury.

2. Owing to the lists of what was in the treasury while the Sett Bechurbhaee lived, or that of what was expended after his demise by Baba Nafra, not being found in these rooms, we could not ascertain what balance there ought to be. The old Goomashtas of the firm, named Echaram Vunarsee, Bhugwan Bhowanee, and Killeedar Bhaeejee Ghela, on being questioned on the matter, said that they were not fully acquainted with this jamdarkhana's affairs, but that Rama Joita of Veesnuggur, having held charge of it for many years while the Sett lived, might be able to give an account of it if called on. Rama was accordingly sent for through the Koomavisdar of Vishnuggur, and his statement taken, from which it appears, that while the Sett lived, and Rama held charge of this jamdarkhana, there remained in it ornaments of gold and precious stones, &c., to the value of about 10 or 12 lacs rupees, of which jewels worth about 1,50,000 or 1,25,000 were for the daily use, which the Sett kept with Rama, and a detailed yad and the jewels were put in a box, from which they were taken out occasionally for use.

The other large ornaments were deposited in a large box, a detailed yad of which the Sett always kept in a box in which the keys of all the treasure chests were placed. When any of these ornaments were required, the Sett himself opened the chest and took them out, after noting them down in the same yad. This statement is sent herewith, from which it would appear that there remained about 10 or 12 lacs of rupees worth of articles in this jamdarkhana, whilst the Sett lived, and an inventory of the same was kept. Among the papers in this jamdarkhana there were several yads of jewels purchased and taken in mortgage, as well as of old clothes, &c., received and issued from it, written in Baba's own

handwriting, from which it seems that it was the practice to keep yads of things received and given during the lifetime of Bechurbhaee, but a general list of all the contents was not traceable. Goomashta, of the firm Bhaeejee, &c., said, that after the Sett's death things were put in and taken out only by Baba himself, or by his sons, without keeping any memorandum of them, and therefore there remains no dukla to find out why and what has been taken out by Baba. What is now remaining in the treasury will appear from the proceedings of the inquiry; but what ought to be there cannot be said, unless Baba produces the Sett's yad, detailing what there had been when he died, and his own account of what was subsequently expended by him, till which, the fact stated by Rama remains in doubt.

(signed) *Hurree Govind Gokhla, for Gopalrow Myral.*
Trimbuck Shastree Munhore, Judge.
Venaik Suddasew Furnish.
Babajee, for Mottelall Samuldass.

Enclosure No. 2 of the above.

TRANSLATE of a Deposition made by Ranjee Joit, Caste, Hindoo; Religion, Coonbee; Resident of Vishanuggur; Profession, Cultivator and Service; on Assosood 3d, Sunday, Sumvut 1907 (28th September 1851.)

WERE you in charge of Hurree Bhugtee's treasury jamdarkhana; and if so, for how long, and what was the amount of property therein while you had charge of it?—I was in Hurree Bhugtee's employ for about 15 or 17 years, as Khismutgar, and when I was considered trustworthy, Bechurbhaee Sett entrusted me with the duties of the treasury, which I performed for about 15 years, during the lifetime of Bechurbhaee, when there always remained in the small treasury, diamonds, pearls, emeralds, ornaments, precious stones, gold and silver, and clothes, to the value of about 10 or 12 lacs rupees, which were all made over to Bechurbhaee Sett when I went home.

State whether, while you were in charge of the treasury, used anybody to accompany you to open it, or was it opened by you alone, and by whom were the keys kept?—The key of the door of the treasure room was kept with the sentry; and those of the chests were kept in a small box in the treasure room. The key of this small box remained with another sentinel. Whenever the Sett required to take out any ornaments, his orders were communicated to the sentries. The jemadar used to bring the two keys to the treasure room, where the Sett also came. I used to take the key from the jemadar, open the door, and place the box containing the keys of other chests before the Settjee, who, after taking therefrom the key of the chest containing the required ornaments, used to open it and take out the jewels. After which he locked the chest and replaced its key in the small box, which, after being locked, was put back in its place, and both keys were then made over to the sentries in presence of the Settjee.

In the event of the Sett being unable to be present at the time of opening the treasury, on account of any business or indisposition, did anybody else come with you to open it and take out the ornaments, or did you ever open it by yourself?—The jewels constantly worn by the Settanees and Sett, which are of about 1,50,000 or 1,75,000 rupees worth, were kept in a separate box in the treasury, of which I had a yad, and when any of them were required I used to take them out by myself. Those ornaments which were kept in the big chest, as above stated, were taken out only by the Sett. I kept an account of the ornaments in daily use, which were in my charge, and kept it in a separate box in the treasury.

Did the Sett take any account from you of the ornaments in daily use, which were kept in your charge, and if so, when? And was any account kept of the receipts and issues of the other ornaments in the chests, and if so, by whom?—The examination of the ornaments in daily use, which were made over to me with a yad, was taken by the Sett once or twice a year. A yad of all the large ornaments was made out and kept by the Sett in the small box in which the keys were placed, and all the receipts and issues were noted down therein.

State whether separate yads were made out of the large ornaments and of those in daily use, or whether the latter were included in the yad of the former; if so, was an extract of that general yad given to you, comprising ornaments of daily use?—Only a yad of the jewels in daily use was given to me by the Sett; that of the other ornaments which remained in the chests was kept separate by the Sett.

When you had charge of the big jamdarkhana (treasury), who kept the keys of it, and who used to open it?—I was not entrusted with the charge of the big treasury; its keys were kept by the Settjee in the box in which he used to keep the jewels, small treasury. The Sett used to open the big treasure room himself, but very seldom; say once in 10 or 15 years.

How many rooms were there in the small treasury when you had charge of it?—Those rooms, now used, situated to the north and south of Cutchery in the upper story, were before used as treasure rooms.

State whether any of the contents of the small and big treasuries were ever removed from one to the other?—The big treasury was not often opened, and, during the Settjee's lifetime, I never saw any of the contents of the small treasury put into it.

How many years after your having been relieved from the treasury charge did the Sett die?—The Sett died about three or three and a half years after my deposition.

Appendix (E.) No. 2.

TRANSLATE of a Yad from His Highness the Gaekwar to the Resident, dated 12th Mohurumsun 1252 (7 November 1851).

IN reply to the Residency yad, No. 1131, (13 October 1851), returning the proceedings of the committee assembled to report upon the treasury of Hurree Bhugtee, which accompanied a yad from this Durbar, and requesting that, as the balance of ready cash not being shown therein, a further inquiry may be instituted on the subject, and its result made known to the Residency; I beg to state that in the presence of Soorujram, native agent, who was present at the former committee, Gopal Row Myral, the judge, and other members of the committee, were questioned on the subject by Sumbhooram, upon which they gave their opinion in writing, as to what balance of ready cash ought to be in the Challoo "jamdarkhana" treasury. A copy of this, as well as the report of the former committee, and a copy of Rama's statement, are herewith forwarded, from which it would appear that the late Moonim of Hurree Bhugtee Baba Nafra must answer for the balance mentioned in the report, until he can show the lists of ornaments and cash of Bechur Samul's handwriting.

Enclosure to the above.

TRANSLATE of a Report from Rajeshwree Gopal Row Myral, Trimbeck Shastree, Munhore Judge, Venaik Suddasew Furnish Dufturdar, and Motteelall Samuldass Paruck, dated Kartick Sood 10th, Sumvut 1908, Monday (20 October 1851).

Question to the Committee.] You were entrusted with the examination of Hurree Bhugtee's treasury, which contained jewels of precious stones, &c., to the value of about ten or twelve lacs rupees, as stated by Rama, who is acquainted with it; state what funds in each there ought to be, according to Sowkaree custom, with him whose treasury contains property to the extent above stated?—There is no established rule for this; every one acts as he thinks proper. The fair Sowcar, however, who owes nothing in bazaar, and has got in his treasury jewels of ten or twelve lacs rupees worth, should possess a fund of six or seven lacs rupees in ready cash, to meet the current demands, as would appear either from his chopras or papers.

(signed) *Hurree Govind Gokhila, for Gopalrow Myral.
Trimbeck Shastree Munhore.
Venaik Suddasew Furnish.
Babajee Premchund, for Motteelall Samuldass.*

Appendix (E.) No. 3.

TRANSLATION of a Yad from his Highness the Gaekwar to the Resident, dated 16th Mohurum Soorsun 1252 (A. D. 10th November 1851.)

AFTER recapitulating the contents of the Residency yad, No. 1,299, dated 9th November 1851, regarding the property of Hurree Bhugtee in jewels and specie, states as follows:

On questioning Gopal Row Myral and others, members of the Committee, on the subject, they presented a yad of information, from which it appears that out of the 10 or 12 lacs of rupees worth of jewels mentioned by Rama, there is a balance of about three lacs of rupees in jewels. That the value of Bhyeejee's box, and the jewels belonging to Ruttonjee Kandass, which are entered in the Rozkam, have not been included in the amount estimated by Rama, which will be known from the copy of the Committee's yad, herewith enclosed.

Enclosure to the above.

TRANSLATE of a Yad from Gopal Row Myral, Trimbeck Shastree Munhore, Judge, Venaik Suddasew Furnveish Dufturdar, and Paruck Motteelall Samuldass, dated Kartick Vud, 1st Sumvut 1908.

As his Highness ordered us to furnish an estimate of the value of the property found in Hurree Bhugtee's "Chulloo Jamdarkhana" treasury by the Committee assembled to examine it, and to state whether they are a portion of the jewels declared by Rama to the value of about 10 or 12 lacs of rupees to have always remained in the treasury; the last of the ornaments found was read over to Rama, who, on being asked, deposes, that except those of Ruttonjee Kandass, and of Bhaeejee's box, the rest he identifies as having seen in the treasury while he was in charge of it, and their value we estimate about 30,000 rupees.

(signed) *Untajee Bhasker, for Gopal Row Myral.
Trimbeck Shastree.
Venaik Suddasew.
Babajee Premchund, for Motteelall Samuldass.*

(True translation.)
(signed) M. Battye, Assistant Resident.

Appendix (G.)

TRANSLATE of a Yad from Portabhaee, Widow of the late Bechur Samul, to the Resident, dated Chytree Sood 6th, 1 907 (Tuesday, 7 April 1851).

As yesterday, the native agent Soorujram called my father, and desired him to give into the Residency a detailed list of the ornaments mentioned in my petitions to Government, as having been taken from me by Baba Nafra's wife at Baba's desire, and for which I had sent very often, but without success; I beg to state, that in the month of Posh Sumvut 1903 (January 1847), Baba's wife came to me and asked for my ornaments on account of her daughter's "Ruttoo shantee" (ceremony performed to celebrate a maiden's first menstrual discharge), promising to return them after the ceremony was over, upon which I gave her certain ornaments, according to the yad herein enclosed. Baba and his wife have frequently been requested to return them, but they have not done so, and always evade the subject by false promises. Afterwards he oppressed me greatly, and took away my son Motteelallbhaee, which is known to you; I request, therefore, that you will kindly make Baba Nafra to return my ornaments.

(signed) *Bhanabhaee Kandass,*
for Joetabhaee Setanee.

TRANSLATE of a Letter from Lieutenant M. Battye, Assistant Resident in charge, to Setanee Joetabhaee, Widow of the late Bechurbhaee Samuldass, dated Chytree Vud 10th, Sumvut 1907 (25th April 1851).

After compliments,

Stating, after recapitulating the contents of her yad, dated 7th April 1851, that from a yad received from his Highness, dated 18th Jumadil Akhur (21 April 1851), and its enclosure, it appears that from an inquiry made by the Durbar, Baba Nafra's wife denies having taken your ornaments, and you have no proof to substantiate the charge.

(True translation.)

(signed) *M. Battye,* Assistant Resident.

Appendix (H.)

TRANSLATE of a Yad from Joetabhaee, Widow of the late Bechur Samul, to the Resident, dated Talgoon Vud 5, Sumvut 1907 (Friday, 20 March 1851).

BABA NAFRA, Goomashta of our firm, forcibly took away my son Motteelall, to which effect several petitions were made by me to the Durbar, Resident, and Government, and my mother twice went to Bombay to obtain redress, but to no effect. I was therefore obliged to fly for life from the hands of my enemy to Bombay; but as the Goomashta possessed the immense wealth of our firm, he expended lacs of rupees for the purpose of upsetting my case; but in the meantime it happened that the Almighty God infused in your mind the truth of the oppression I suffered, upon which you kindly wrote to Bombay and called me here, and as upon inquiry the treachery of Baba Nafra, &c., was discovered, I was ordered to live in the "Havellee," where I reside like a stranger, without any power as the deceased's wife:

2. From the day I met with oppression, nobody of our side remained in my service. I was therefore obliged, for the purpose of making out my representations, &c., to entertain several persons as vakeels, attendants, humals, and sepoys, &c. Presents were made to those who saved my life, and made out petitions. For these, as well as for the messing and clothing expenses, which was incurred in accordance with the character of our firm, money had been borrowed, for the payment of which I am now troubled, while Baba Nafra has squandered lacs of rupees of our wealth, and made me suffer a great deal; still they are going on squandering the money in the same way. No one pays attention to my affairs, because Mahluxmeebhaee Settanee says that she, having got a son, is owner of the firm, and therefore I should get a mere livelihood; thus they care very little for my grievances, of which I trust you will take proper notice.

3. A few days ago, Peetambur Sewlall came to me, to whom I said that since they were expending lacs of rupees, they ought to do something towards adjusting the debts I have incurred in maintaining the expenses, as it would otherwise bring the disgrace upon the firm. He then said that he would speak to the Sahib, and arrange about it. Afterwards, he told my people that I should apply to the Bhow Sahib, as, according to his orders, he would make the settlement of the debt; but it is to be observed that I would not have suffered so much had I met with proper justice from the Durbar. Up to this day, the Gaekwar Sinkar and the Sahib-logues at the Residency have not made any proper investigation of my case; they acted only upon the misrepresentation of the kharbaries, of which you are aware.

God has mercifully brought you back here to relieve me from these difficulties; and as you have done equitable justice, I trust you will kindly order Peetambur Sewlall to liquidate my aforesaid debt, because my own character and that of the firm is in your hands.

Shera, dated 12th March 1851.

Joetabhaee

Joetabhaee Seetanee's father, Banabhaee, was called in, and desired to make a detailed statement of the debts incurred by her, either at the Durbar or at the Residency, which will be duly attended to.

(signed) *M. Battye*, Assistant Resident.

(True translation.)
(signed) *M. Battye*, Assistant Resident.

— No. 2. —

MINUTE by the Right Honourable the Governor, concurred in by his Excellency the Commander-in-Chief.

It seems from this report highly probable that Wamun Row Venkutesh, *alias* Baba Nafra, has acted unfaithfully to the firm of Hurree Bhugtee, in his capacity of managing goomashta. The guarantee, however, does not entitle us to interfere in the mode of conducting the affairs of the firm, or of punishing its fraudulent servants; these matters must be left to the jurisdiction of the constituted authorities of the country, whose functions, when justly exercised, neither our Resident, nor our Government, has any power or right to supersede. Joetabhaee has been restored, as far as possible, to her true position as a member of a family possessing the British guarantee, and if, as appears from the last paragraph of Colonel Outram's letter, she still suffers from non-payment of pecuniary claims, his Highness should be requested to require from the firm the payment to her of any shares or allowances to which her position may have entitled her, from the date of the death of her husband.

(signed) *Falkland.*
16 December 1851. *J. Grey.*

— No. 3. —

MINUTE by the Honourable Mr. *Blane*.

THE "Setanees" may, I think, be left to take such steps as, in accordance with the usage at Baroda, would be taken by a non-guaranteed party under similar circumstances, and in the event of the usual redress being denied them, the merits of their case can be further considered.

For the most part, however, it would not appear that anything further can be done pending the expiration of Baba Nafra's sentence.

(signed) *D. A. Blane.*
19 December 1851.

— No. 4. —

MINUTE by the Honourable Mr. *Bell*.

I SUBSCRIBE to the first part of the Honourable Mr. Blane's minute, ending at the word "circumstances."

(signed) *A. Bell.*
20 December 1851.

— No. 5. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Board.

INSTRUCTIONS may be issued accordingly.

(signed) *Falkland.*
D. A. Blane.
23 December 1851. *A. Bell.*

—No. 6. —

No. 7 of 1852.—Political Department.

From the Chief Secretary to Government, Bombay, to Lieutenant *M. J. Battye*,
Assistant Resident in charge.

Sir,

Baroda, dated 2 January 1852.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of Lieut.-colonel Outram's letter (No. 107), dated the 11th November last, with its enclosures, on the subject of the treasury of the firm of Hurree Bhugtee, of Baroda, and to state that although it seems highly probable that Baba Nafra has acted unfaithfully to the firm in his capacity of managing goomashta, yet the guarantee not requiring Government to interfere in the mode of conducting the affairs of the firm, or of punishing its fraudulent servants, those matters must be left to the jurisdiction of the constituted authorities of the country, whose functions, when justly exercised, neither the British Government, nor its representative at the Baroda court, has any power or right to supersede.

2. Joetabhaee Setanee having been restored, as far as possible, to her true position as a member of a family possessing the British guarantee, may now be left to take such steps as, in accordance with the usage at Baroda, would, under similar circumstances, be taken by a non-guaranteed party.

3. If, however, as would appear to be the case from the last paragraph of Colonel Outram's letter, this lady suffers from non-payment of pecuniary claims, I am to request that you will move his Highness the Gaekwar to require from the firm the payment to her of any shares or allowances to which her position may have entitled her from the date of the death of her husband.

I have, &c.,
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 2 January 1852.

(True extract.)
(signed) *A. Malet*, Chief Secretary.

20.

Collection No. 1 of No. 22, Bombay Political Department,
Letter from, dated 28 February 1852.

Case of JOETABHAAE SETANEE.

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3.	Minute by the Honourable Mr. Bell		- - - - -	Feb. 11	March 1,414.	866
4.	Further Minute by the Right honourable the Governor		- - - - -	without date	March 1,415.	866
5.	Further Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell.			Feb. 14	March 1,416.	867
6.	Chief Secretary	Resident at Baroda	- - Conveys the sentiments of Government, relative to the Imprisonment of Baba Nafra, for communication to the Baroda Durbar.	Feb. 24 792.	March 1,417.	867
7.	Lieut.-Colonel Outram.	Chief Secretary -	- - Relative to the case of Joetabhaee Setanee.	Jan. 12	March 1,467.	867
8.	Minute by the Right honourable the Governor		- - - - -	Feb. 13	March 1,468.	906
9.	Minute by the Honourable Mr. Blane		- - - - -	Feb. 14	March 1,469.	913
10.	Minute by the Honourable Mr. Bell		- - - - -	Feb. 16	March 1,470.	914
11.	Further Minute by the Right honourable the Governor, concurred in by the Board.			Feb. 20	March 1,471.	914
12.	Chief Secretary	Resident at Baroda	- - Forwards Copy of Lieutenant-Colonel Outram's Letter, dated the 12th January, and states that the sentiments of Government thereon will be communicated to him, if requisite, hereafter.	Feb. 27 843.	March 1,472.	914
13.	Lieut.-Colonel Outram.	Chief Secretary -	- - Connected with the case of Joetabhaee Setanee, with Enclosure.	1851 : Dec. 7	March 1,530.	914
14.	Minute by the Right honourable the Governor		- - - - -	1852 : Jan. 14	March 1,531.	917
15.	Further Minute by the Right honourable the Governor, concurred in by the Board.		(Recorded.)	Feb. 25	March 1,532.	917
16.	Minute by the Right honourable the Governor		- - - - -	Feb. 13	March 1,519.	917
17.	Minute by the Honourable Mr. Blane		- - - - -	Feb. 14	March 1,520.	917
18.	Minute by the Honourable Mr. Bell		- - - - -	Feb. 16	March 1,521.	918

No.	From.	To.	SUBJECT.	Date and Number of Document.	Date and Number of Consultation.	Page.
19.	Further Minute	by the Right honourable the Governor	- - - - -	1852: Feb. 20	1852: March 1,522.	918
20.	Further Minute	by the Honourable Mr. Blane	- - - - -	Feb. 21	March 1523.	918
21.	Further Minute	by the Honourable Mr. Bell	- - - - -	Feb. 21	March 1,524.	919
22.	Chief Secretary	Resident at Baroda	-- Conveys the sentiments of Governments relative to certain Defalcations in the Account of the Firm of Hurree Bhugtee of Baroda.	Feb. 27 863.	March 1,525.	919

Bombay Castle, }
28 February 1852. }

(signed) *A. Malet*,
Chief Secretary.

Extract Bombay Political Consultations ; March 1852.

— No. 1. —

No. 1,412.

MINUTE by the Right honourable the Governor.

I HAVE been credibly informed that Baba Nafra is detained in mere nominal confinement, and that his punishment is mitigated in every way through the interest of powerful friends connected with the Gaekwar Durbar: I think the Resident at Baroda should be instructed to inquire into the truth of this statement, and, if it be founded in fact, to point out in the most courteous and friendly terms to his Highness the Gaekwar the injurious effect that any unnecessary indulgence granted to this criminal will have upon the administration of justice throughout his Highness's dominions, as well as on his Highness's own character as a just and enlightened ruler.

10 February 1852.

(signed) *Falkland.*

— No. 2. —

No. 1,413.

MINUTE by the Honourable Mr. *Blane*.

I WOULD not interfere with the treatment of this individual, so long as he is not set at large.

10 February 1852.

(signed) *D. A. Blane.*

— No. 3. —

No. 1,414.

MINUTE by the Honourable Mr. *Bell*.

IF this individual is more leniently dealt with than other criminals incarcerated under similar circumstances, I think the proposed communication should be made to the Durbar.

11 February 1852.

(signed) *A. Bell.*

— No. 4. —

No. 1,415.

FURTHER MINUTE by the Right honourable the Governor.

I WAS inclined, in deference to my honourable colleague, Mr. Blane, to refrain from giving any special directions to our Resident at Baroda on the subject of the

the indulgences supposed to be allowed to Baba Nafra; but the perusal of the postscript to Colonel Outram's reply to our decision in the Jotabhaee case induces me to adhere to the opinion I have expressed in my Minute of the 10th instant, which will be found to be in accordance with the sentiments I have this day recorded on the postscript above alluded to.

(signed) *Falkland.*

— No. 5. —

FURTHER MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell*.

No. 1,416.

WE have only determined not to interfere with the sentence passed by the punchayet, and cannot, I think, prescribe any specific treatment of the prisoner; I defer, however, to the proposal, that the Resident be instructed to ascertain if any unusual leniency be used towards him.

(signed) *D. A. Blane.*
A. Bell.

14 February 1852.

— No. 6. —

No. 792 of 1852.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to
J. M. Davies, Esq., Resident at Baroda.

No. 1,417.

Sir,

THE Right honourable the Governor in Council having been informed that Baba Nafra is detained in mere nominal confinement, and that his punishment is mitigated in every way through the interest of powerful friends connected with the Gaekwar Durbar, I am instructed to request that you will inquire into the truth of this statement; and if founded in fact, that you will point out in the most friendly and courteous terms to his Highness the Gaekwar the injurious effect that any unnecessary indulgence granted to this criminal will have upon the administration of justice throughout his Highness's dominions, as well as on his Highness's own character as a just and enlightened ruler.

I have, &c.

Bombay Castle,
24 February 1852.

(signed) *A. Malet*,
Chief Secretary.

— No. 7. —

From Lieutenant-colonel *Outram*, c. B., Resident at Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government.

No. 1,467

Sir,

ON the 31st of March 1851, I did myself the honour to transmit to you an elaborate report on the case of Joitabae Settanee, the younger widow of the late Bechur Samuldass, of Baroda; and on the 1st of December Government commanded you to communicate to me their views touching certain portions of that report.

2. Some very important points of my report, embracing views, statements, expositions, and recommendations, you were not authorized to notice; but you were instructed to convey very heavy and humiliating censures on myself, and to place on record the official opinion of Government, that sufficiently conclusive evidence had not been adduced to establish the allegation of Joitabae, that she had given birth to a child on or about the 22d December 1845.

3. Against these censures on myself and the views propounded by Government in reference to Joitabae, I deem it alike a duty and a right to enter a respectful remonstrance against the former, because I regard them as unmerited and unsustainable in the despatch on which they are based; and against the latter, because I conceive them to be incorrect, and calculated to prove injurious to the future

prospects of a helpless widow, who has already been the subject of much unmerited sufferings.

4. Owing to the position in which Government has seen fit to place me, I have not the leisure requisite for indicating more than a fraction of what I conceive to be the misapprehensions and erroneous assumptions on which the views of Government are based ; but if I shall succeed in indicating a few of the misapprehensions and erroneous assumptions in question, I trust that Government will see fit to revise its decisions, or, at all events, that the honourable Court of Directors will be induced to withhold their unqualified acquiescence in these decisions.

5. In the 2d para. of your letter under reply, Government instructed you to write as follows : "The direct and avowed object of this voluminous report is to induce Government to confirm in its integrity a sentence of confinement in irons, and a fine of 15,500 rupees, passed by a punchayet at Baroda, on Baba Nafra."

6. While I undoubtedly expressed a hope that Government would confirm the sentence referred to, I explained with tolerable distinctness and precision that the objects I had in view were of a far higher and more important nature than that which they have attributed to me.

7. In the 2d para. of the letter which transmitted my report, I thus emphatically expressed myself : "Had there been no higher object to be attained than the infliction of punishment on Baba Nafra, I should not have deemed it necessary to impose on myself the labour of penning, or on Government that of reading any elaborate remarks. For, great criminal as the Baba undoubtedly is, I do not anticipate any conspicuous moral effects from his imprisonment till some decided measures be taken to uproot the (here) universal belief in the efficacy of khutput ; and it is only as one preliminary step towards uprooting that belief, that I do urgently plead for the infliction of the full punishment that has been awarded to him."

8. And in the next para. I observed, "But far higher objects than the punishment of Baba Nafra have stimulated me to frame this report."

9. In subsequent paras. I endeavoured to explain these motives ; and though, owing to the unhappy obscurity of my language, I may have done so very imperfectly, a re-consideration of my letter and of my report would, I think, satisfy his Lordship in Council that I had other and far higher objects in view than the punishment of the wretched man whose misdeeds I detailed.

10. One of these objects was the vindication of the character of a feeble, helpless widow, who was entitled to our protection, but to whom that protection had been long denied, owing principally to the complicity of the British native agent, Nursoo Punt, in the conspiracy, by which her unmerited sufferings had been brought about.

11. And in the 6th para. of my transmitting letter, I stated in direct terms that one of the principal motives that urged me to prepare my report, was my sense of the duty under which I lay not only to clear Joitabae's character from the "dishonouring and unjust aspersions on it, but to do so in so minute and circumstantial a manner as should prevent Government being again deceived through the intrigues of Baba Nafra's friends, or those of a corrupt Residency establishment."

12. The entire tenor of my report shows that another great object I had in view was, to satisfy Government that some decisive measures were requisite in order to disabuse the public mind at Baroda of the belief that the highest British functionaries were amenable to corrupt considerations. This was the belief which in 1843 Sir George Arthur had declared the best efforts of the British Government, its allies, and servants, must be exerted to destroy. It was one which it had been the policy of the Residency native agent to encourage ; and it was one which, as a perusal of my Joitabae and Khutput reports, together with Mr. Frere's proceedings, must satisfy the most sceptical had been very materially strengthened by the proceedings of Nursoo Punt in respect of this very case, by the boasts which he made, and by the interpretation put by him on the acts of Government.

13. And,

13. And, as my report further proves, while a confirmation of the Baba's sentence was only sought for as a preliminary step towards the vindication of the purity of British justice, I strove to make it a justification of certain requests which, if quickly conceded, would, I feel assured, have obviated the necessity of more than one of the recent reports which it has been my painful duty to make.

14. Amongst other requests, I begged that Government would urge the Guicowar to insist on Baba Nafra making good the enormous amounts in gold and jewels which he had abstracted from the bank of Bechur Samuldass, the late husband of Joitabae Settanee. I begged that Government, while confirming the Baba's sentence, might explain to his Highness that that sentence was commensurate with the culprit's crimes; I begged that Government would communicate to his Highness their hope that he would "take effectual means to prevent a recurrence of conduct on the part of those invested by him with judicial functions, similar to that displayed by the punchayets appointed to investigate Joitabae's case in 1847 and 1850." I further begged Government to express to his Highness their deep regret that the state of morals in his capital should have fallen to so low an ebb as the history of the Joitabae's case proved to them it had fallen, and I begged them to prefer an "earnest request that his Highness would henceforth, with his best energies, and all the influence at his command, co-operate with them and their local representatives in eradicating the dishonouring belief in the efficacy of khutput."

15. To demonstrate that a necessity existed for the adoption of the recommended measures, and to prove to Government that there was need of displaying some of that zeal for the vindication of British justice which Sir George Arthur had so energetically displayed in 1843, were, I respectfully repeat, as my report shows, objects that conspicuously influenced me in its preparation.

16. Craving pardon of his Lordship in Council for devoting so much space to the misapprehension just noticed, I beg to refer to a very serious accusation he has been pleased to urge against me, and which I conceive to be partly based on the misapprehension in your 25th para., wherein you express yourself as follows: "In short, Government has been strongly and directly urged by you in the 17th para. to confirm the sentence upon Baba Nafra, not because it is just and right, but because if his Lordship in Council were to modify or annul it, Government would incur the suspicion of wrong-doing."

17. This, sir, is a heavy charge, and it is one which I trust his Lordship will, on further consideration, see fit to efface from the records of Government.

18. In order to refute it, it is necessary that I should recapitulate the substance of certain paras. of my report, antecedent to that on which the charge is based.

19. In my 8th para. I detailed the charges on which Baba Nafra had been brought to trial, and those on which he had been convicted; and in my 9th para. I showed that he would have incurred the penalty of imprisonment for life, instead of the seven years' imprisonment actually awarded him, had it not been that the punchayet professed to entertain a doubt as to whether the child which he abducted was actually the offspring of Joitabae.

20. In the following para. I expressed my belief that I should be able to demonstrate to the satisfaction of Government that the abducted child was in very deed the offspring of Joitabae; and thus to prove that the sentence awarded to Baba Nafra, but which could only be carried out with the sanction of Government, was inadequate; in other words, a milder sentence than strict justice would have awarded.

21. In my following para. I thus expressed myself:

"My reason for establishing these points, is not to induce Government to urge an aggravation of the punishment already awarded to Baba Nafra, but effectually to prevent its mitigation, and to satisfy Government that any clemency towards Baba Nafra would not be only intrinsically unjust, but would be productive of the most calamitous, moral and political, consequences, by confirming the idea, unhappily too prevalent in Baroda, that the great criminal under notice possesses

some mysterious influence in Bombay, in virtue of which he can escape the just reward of his iniquities."

22. Though in the 15th para. of your letter you have quoted a portion of this sentence, you have (of course inadvertently) utterly ignored my words "not only intrinsically unjust," and you have emphasized the subsequent expressions, so as to make it appear that the accusation of Government is correct; that I did really urge Government to confirm Baba Nafra's sentence, "not because it is right and just, but because if his Lordship in Council were to modify or annul it, Government would incur the suspicion of wrong doing."

23. The partial quotation of which I complain was taken from the 11th para. of my report, the whole of which I have reproduced in the 21st para. of this letter; and in the 12th para. of my report I proceeded to show why I was so anxious, by the minuteness of my exposition to avert the possibility of a mitigation of Baba Nafra's sentence, which would be intrinsically unjust, and productive of calamitous consequences. I thus write :

"Availing themselves of the right of appeal enjoyed by Baba Nafra, in consequence of the liberal construction put on the guarantee enjoyed by the firm of Hurree Bhugtee, the Baba and his friends are making powerful efforts, by petition and otherwise, to enlist the sympathies of Government in behalf of that convicted criminal; and even should this agitation fail in the meanwhile to effect its object, I have reason to believe that were death, or unforeseen accident, to put a term to my incumbency of office, renewed attempts would be made by influential friends of Baba Nafra to upset, by fresh subornation of perjury, the evidence on which he has been convicted, and thus to obtain for him a mitigation of the sentence passed on him by his sovereign."

24. In the 13th para. of my report, I said I deemed it my duty to show that the fears I thus entertained of the future efforts of Baba Nafra's friends to obtain a mitigation of his sentence by fresh subornation of perjury were not unfounded; and in the 14th para. I proceeded to do so.

25. I reminded Government, of what it was well aware, viz., that Baba Nafra possessed immense wealth, and nearly unbounded influence at Baroda. I reminded them that the Baba was long at the head of that combination of bankers whom, on the 22d February 1849, Captain French described as exercising a despotism over the prince and Durbar of Baroda." I explained how it was that he was secure of the support of most of the influential men in that part of the country. I observed, that "whatever power is derivable from personal friendship, from gratitude, from fear of exposure, from pecuniary obligations, and from a lively sense of future favours, that power in an inconceivable degree does Baba Nafra even now exercise over most of the influential men at Baroda. For," I added, "though temporarily in bonds, his sentence is but for a term of years; and his friends confidently assert, that even this term will be abbreviated; and though he be not at large, his sons, relatives, and creatures are, and they can, with great convenience, wield all the Baba's weapons."

26. In the 16th para. I reminded Government that their records proved distinctly that "the man possessing these great resources and this vast influence, was one who would stickle at nothing by which he could bring them to promote his own interests." I reminded them that he had been denounced by themselves in 1841, and again in 1843. That in 1837 Mr. Malet had convicted him of an infamous conspiracy to ruin a chief enjoying our protection, and that Government had themselves in 1849 tacitly admitted him to be guilty of an attempt at extortion, to the extent of three lacs of rupees, on another individual enjoying our protection. I further reminded them that I had adduced evidence designed to prove that he had attempted to carry out this fraud by a crime equivalent to forgery. I called to their recollection that he had aspired to bribe Mr. Reid, late member of Council; and I observed, that Government was "not only aware that he had despatched an emissary to Bombay, invested with full bribing powers, to operate on that gentleman, but that intermediate agents being required, they were sought for and obtained in the Bombay secretariate itself."

27. Alluding to the apprehended intrigues of Baba Nafra's friends, to his enormous wealth, to his unscrupulous character, and to the dishonouring belief, which he and his kinsman Nurso Punt had done so much to rivet, I thus expressed myself in my 16th para. :

"All these things have before been brought to the notice of Government, and all will again be very fully brought to their notice in a memoir, which I have under preparation, illustrative of the circumstances which have led to the belief here so prevalent that the higher officers of Government are accessible to corrupt influences: in the meantime it is unnecessary that I should enter on them at greater length; but I feel that I should signally fail in my duty had I not thus alluded to them, as not only affording a complete justification of the excessive length of this report, but as supplying a valid reason why it should be attentively studied ere Government do aught that might be construed by the friends of corruption at Baroda into a confirmation of the popular belief that Baba Nafra enjoys a more than legitimate influence at the Presidency."

28. That here, as elsewhere, I have expressed myself in a clumsy, tautological and obscure manner, I cannot deny; but I believe that most tribunals, viewing this para. with the context, would acquit me of any greater offence than clumsiness and obscurity. They would, I believe, understand me to mean that I entertained great fears lest, by mendacious petitions and fresh subornation of perjury, the friends of Baba Nafra should endeavour to upset the evidence that had been adduced against him; that, believing any remission of his punishment would be not only intrinsically unjust, but morally and politically calamitous, I had deemed it my duty to be very minute; and that I hoped, ere Government listened to or allowed themselves to be influenced by the after representations of the Baba Nafra party, they will carefully weigh all I had stated, and make my revelations a test by which to judge of those after representations.

29. In my 17th para., that which you have instanced as principally supporting the accusation against me of having sought to influence the decisions of Government by improper considerations, I proceeded to state a series of facts, not opinions, but facts which had recently occurred, and which were not only calculated to give the corruptionists colourable pretexts in support of their "absurd," but not the less "mischievous" pretensions, but which had tended to make the natives of Baroda believe the boastings made by Nursoo Punt and Baba Nafra, that through influence at the Presidency, the latter did enjoy an immunity for his misdeeds; and I quoted these facts in anticipation of my khutput report, with a view to satisfy Government, that if misled as to Baba Nafra's guilt, as they had before been in reference to the guilt of Nursoo Punt, the most injurious consequences would result.

30. All this I readily acknowledge I did in a clumsy and unartistic manner; but I trust that, on re-consideration of the entire context of the paras. recited, or referred to by me, his Lordship in Council will see fit to cancel the heavy accusation he has brought against me, of having begged of him to confirm Baba Nafra's sentence, not because it was just and proper, but because by not adopting my views, he would lay himself open to suspicion; and that he may have the less hesitation in doing so, I beg respectfully to crave his attention to the 20th concluding para. of the introduction to the report, which I here reproduce:

"Under all the circumstances above enumerated, I deem no apology due for the bulk of this report. The interests of justice absolutely demanded that I should place in the hands of Government a document so completely exhaustive of the case of Joitabae Settanee; that should, as I anticipate, desperate efforts be made by Baba Nafra's friends to upset the decision of the Guicowar Court, by fresh subornation of perjury, Government may be enabled to detect a fraud, which, if successful, would inflict a heavier blow on the character of British justice than it has yet sustained in Goozerat."

31. Having entered into so full a justification of myself from the charge just noticed, I am enabled to be more brief in my reply to that which is contained in the 16th and 17th paras. of your letter. These paras. are as follows:

"You then proceed to state, that Baba Nafra, unprincipled and unscrupulous as you have depicted him, had aspired to bribe the Honourable Mr. Reid, recently a member of this Government. In the following para. you bring forward the belief so prevalent, as you assume it to be, that the higher officers of Government are not inaccessible to corrupt influence, as a full justification of the excessive length of your report. Not only this, but as supplying, in your opinion, a valid reason why the report should be attentively studied ere Government do aught that might be indirectly construed into a confirmation of the popular belief."

"The Right honourable the Governor in Council can regard this in no other light than as the expression of your opinion, that Government would most probably act in this case so as to confirm the popular belief, if you did not take this extraordinary measure to prevent them; and that it conveys an indirect accusation that Government were likely to act on this report, without having made itself sufficiently acquainted with its contents."

32. As I have already observed, the exculpatory remarks I have offered in reference to the first noticed of the accusations you have been instructed to bring against me, will, I trust, be deemed sufficient to exonerate me from the charges contained in these two paras.; the more so, when his Lordship views, in connexion with what I have previously urged, the following or 18th para. of my report. It is the para. which immediately follows that which you have singled out as peculiarly offensive, and in which I had shown that circumstances had occurred which tended to make the corrupt and servile people of Baroda believe the boast of Baba Nafra, that he did enjoy impunity for his misdeeds.

33. My 18th para. runs thus: "It is extremely painful to me to quote all these matters, as being regarded by the people of Baroda as evidences of the undue partiality towards Baba Nafra of a Government in whose immaculate purity I have the most implicit faith, a Government whom I esteem and honour, and to evince my esteem and honour of whom, by vindicating them in the eyes of the natives of Baroda, is the highest object of my ambition."

34. These declarations you indeed imply are insincere: you observe, that my "remarks relative to the conduct of Government, and the low dishonesty imputed to it, is not the less calculated to impress those having access to my report with a different notion," that is, with the belief that I did attribute dishonesty to the Government I was addressing.

35. I would respectfully observe, that those for whose information there port was written, were the Bombay Government and the Court of Directors. Both these bodies have likewise access to my report on khutput, to the evidence adduced on Mr. Frere's commission, and to my reply to the accusation, on which my removal from office was based and justified; and I feel assured, that if either of these honourable bodies will read these various documents (as they ought to be read), in connexion with each other, and call to mind what information I had acquired, and what revelations and reports I had made to Government anterior to the 31st March 1851, they will, on re-consideration, concede that I did exaggerate the state of public feeling at Baroda, and that I should have failed in my duty had I not alluded to the subject in my report, apprehending, as I did, that fresh subornation of perjury was preparing for the purpose of misleading Government into an act of clemency towards Baba Nafra inconsistent with justice, and calculated to rivet still further that lamentable faith in khutput which had but recently received a still further hold on the public mind from the case of Nursoo Punt, as detailed in my khutput report.

36. I knew that the character of Government was misunderstood; I knew that its members were supposed to be amenable to corrupt influences; I knew Sir George Arthur to have declared that Government could not afford to disregard such misapprehensions; I knew that he had severely censured one of my predecessors for not adopting the most energetic means for securing the punishment of those who encouraged them; and I therefore conceive that it was my duty to apprize Government that such misapprehensions existed, to indicate the evils that had resulted from them, and to suggest the means by which they might be eradicated.

37. These remarks, sir, naturally suggest, as the next of your accusations to be answered, the one contained in your 32d para. You thus proceed:

"I am directed to express the astonishment of his Lordship in Council, that an officer of any political experience in this country should have used the language you have employed in commenting on the belief in the efficacy of khutput, you state is so prevalent at Baroda: your remarks distinctly imply that the Government has occasioned this belief by its unfair decisions, and that but for such decisions no such belief would have been current."

38. If his Lordship means that I imply my belief in the corruptibility of his Government, I beg most emphatically to disclaim the implication attributed to me.

me Most solemnly, most sincerely, on the honour of an officer, and on the word of a gentleman, do I beg to assure him, that neither as regards himself personally, nor his colleagues, did I ever for one moment conceive, still less mean to say, or insinuate, that I believed them to be other than highminded British gentlemen.

39. But that a belief in the corruptibility of the highest British functionaries does exist, that it has long existed, and that it has received strength from the erroneous interpretations placed by the corruptionists on successive decisions of Government, some of which (as shown in my Khutput Report) subsequent investigations have proved not to have been in accordance with the real merits of the case, are propositions which no dread of personal consequences ought to prevent me from uttering and reiterating in clear and emphatic accounts. They are propositions which I conceive I have demonstrated in my Report of Khutput, so often referred to by me; they are propositions which are substantiated by the early history of the Baroda Residency office; they are propositions, the truth of which was more recently illustrated by the Dhaekjee Dadajee business; they are propositions which a simultaneous perusal of the cases of Nursoo Punt, Joitabae, and Baba Fudkey, will, I think, satisfy his Lordship are still irrefutable. But again, I beg emphatically to declare, that it was very far from my intention to assert, or insinuate, that I regarded the belief in the corruptibility of Government as other than an absurd but mischievous delusion, the supporters of which had many plausible pretexts to urge in support of their assertions, and which, therefore, I deemed it the more necessary to take early and effectual means to destroy, by pursuing the policy of Sir George Arthur, that is, by searching out, with a view to punish, all those who had been instrumental in its dissemination.

40. In your 33d paragraph you have been directed to inform me, that "In the minds of Asiatics, faith in Khutput is unavoidable; it will ever exist with their idea, that the Government which is to judge the case is in possession of absolute power."

41. In your 34th para. you thus taunt me with my ignorance of human nature: "A slight acquaintance with mankind might have convinced you, that when the interests, lives, and fortunes of the subjects depend upon the will or caprice of an absolute monarch, subject to the influence of those who surround him, men who may have any object to attain, will endeavour to secure that influence rather than trust to the justice of their cause, and that no law can be devised that will eradicate the practice. Nor is it less certain, that the native who has found the practice conducive of his success within the sphere of his own experience, will with difficulty be brought to believe that it is not of universal efficacy, or that, partial to low intrigue himself, he will be induced to give credit, at the expense of his own self-estimation, to the existence, either in individuals or in the governing body, of those sentiments of purity and honour which are characteristic of an English gentleman."

This underlined in your letter.

42. And in your 35th para., after paying me a compliment, which is, I believe, applicable to most Englishmen, you thus express yourself: "You at the same time lay yourself open to the charge of credulity, if you imagine that the subjects of a native state like Baroda can be generally induced, by any act of yours, or of any officers of Government, to abandon the belief which, from time immemorial, they, in common with other Asiatics, repose in the efficacy of Khutput."

43. It may be, sir, as you say, that my knowledge of human nature is slender; it may be that I am in the last degree credulous. But I am not ashamed of an ignorance of human nature, which was exhibited by Sir George Arthur, nor do I blush for a credulity to which Lord Falkland and his Council so recently pleaded guilty, through the medium of the circular letter on Khutput, which was addressed to the heads of the various civil and political officers in the Presidency.

44. Not only my Joitabae, but my Khutput, and all the other reports I have sent to Government, distinctly show that I never entertained so absurd and Quixotic an idea as that implied in the opinion attributed to me, "that Asiatics could be persuaded of the inefficiency of Khutput, where the interests, lives, and fortunes of the subjects depend on the caprice or will of an absolute monarch, subject to the influence of those who surround him."

45. But, sir, I did believe, and I do believe, that it is quite within the power of Government to disabuse the minds of the natives of Baroda, that the high officials of Government are accessible to corrupt influences.

46. I do believe that Sir George Arthur did not indulge in mere conventional phraseology, when he declared, in the memorable letter from which I had occasion, in my communication of the 15th ultimo, to quote so fully, that the belief in the corruptibility of the British Government was one which that Government could not permit to exist unrefuted, and one which the best energies of himself and his Council should be exerted to destroy, and which I do believe would have been destroyed had the threat then made been carried into effect, of imposing a responsible minister on the Guicowar, over whom the influence necessary to deter the Durbar from again seeking recourse to corruption could have been maintained.

47. And I further believe that Lord Falkland and his Council acted no hypocritical part, when, on the 15th May 1850, they directed their Mr. Secretary Goldsmid to inquire of their various civil and political servants if it were actually the case that there existed a belief in the efficacy of Khutput made in Bombay.

48. I cannot, sir, conceive that, if they assumed the existence of this belief to be an axiomatic fact, they would have instructed Mr. Goldsmid to write as he then did. I cannot conceive that, if they then entertained the opinions which are contained in the paras. of your letter now under reply, they would have expressed their conviction that the belief in Khutput, if really existing, must be productive of much embarrassment to their local officers. Nor can I conceive that they would have called on their local officers to suggest the means by which so detestable and mischievous a belief could be best eradicated.

49. It was in the firm and honest conviction that the Khutput circular in question accurately described the opinions and wishes of Government, that I drew out my Khutput Report; and that, unable on the 31st of March 1851 to finish my report, I embodied a few of its facts and statements in my report on the case of Joitabae Settanee.

50. It was because I fully credited the assertion implied in that circular, to the effect that Government had but recently heard of, and were shocked at, the existence of a belief in Khutput made in Bombay, that I carefully framed the report, which, or its transmitting letter, has procured for me the humiliation and disgrace of removal from office.

51. I now, sir, advance to another of the accusations which you have been directed to bring against me.

52. In the 30th para. of your letter you tell me that it is painful to Government to observe that I am myself personally answerable for much of Joitabae's sufferings, and in your 54th para. you commence to explain your meaning. But before doing so you indulge in what appears to me a distinct implication, that in my report I was guilty of an untruth. And this implication I must be permitted to notice, you seem to imply that I sought to palm off on Government as my motive for performing a certain act, what was in reality a mere afterthought.

53. The seeming implication to which I refer, is contained in your 53d paragraph. But to make my defence intelligible, I must quote the antecedent para., that is the 52d para. of your letter. In that para. you thus express yourself: "In your report on this case now under acknowledgment, you have given Government to understand that you suspected foul play on the part of the Durbar, long before you quitted Baroda, but that you could not interfere as you would otherwise have done in Joitabae's behalf, because, as you allege, the principals were subjects of his Highness, and could only come before the Resident as appellants (para. 14 of Part II. of your Report). In the 15th para. (Part. II.) you state, you believed that from no tribunal the Durbar could appoint was strict justice to be looked for on the part of Joitabae. The translated proceedings of your correspondence with the Durbar at the time, and the fact mentioned in the 27th para. of your report (Part II.), certainly show that you used your best efforts to bring the proceedings of the commission of inquiry to a close, bearing patiently with obstructions on the part of Joitabae herself, persuading her

her mother, Larbaee, to submit to examination, urging the Durbar to submit to her seeming want of respect, and to take her evidence, and interfering to procure for Joitabae some amelioration of the hardships to which she was subjected."

54. In your next (53d) para. you thus proceed: "Paras. 28 to 30 of your report (Part II.), which notice the communications of the 4th and 6th September 1848, between Joitabae and his Highness the Guicowar, demonstrate the pains which were taken by you to ensure Larbaee a fair hearing." In your yad of the 6th September, you reiterate the request made in your previous yad of the 4th, "the motive of which is now stated to have been to afford your successor an impregnable ground on which to take his stand in insisting on the examination of Larbaee being taken, and the inquiry being brought to a close." No reply you state was received to this yad until the 16th of September, being four days after you had left Baroda.

55. That I am not wrong in supposing that you were instructed to imply against me a distinct charge of dishonesty, is I think sufficiently proved by the mode in which you have, by underlining, emphasized the word "now" when alluding to the reasons given by me in my report for reiterating on the 6th the message I had sent to the Durbar on the 4th of September 1848.

56. Before answering this implied accusation of dishonesty, let me respectfully recall to the attention of his Lordship in Council the admissions made by him in the two paragraphs of your letter which I have just quoted.

57. His Lordship in Council is pleased to admit that I used my best efforts to bring the proceedings of the commission of inquiry (that is, after the first punchayet) to a close; and my letter of the 27th November 1847 distinctly informed Government that it was my intention to submit these proceedings to a scrutiny.

58. His Lordship in Council is further pleased to admit that, with this view, I not only did my best to persuade Larbaee to submit to examination; and the correspondence distinctly shows that the difficulties in the way of this result being obtained, were, demands made by the punchayet, inconsistent with their usage in other cases, and inconsistent with decency and justice.

59. His Lordship in Council is further pleased to admit, that I "took pains" to ensure Larbaee a fair hearing; an admission which, I would respectfully urge, implies that some difficulty was experienced in procuring her a fair hearing.

60. Taking these admissions of his Lordship in Council, in connexion with the facts and observations I have attached to them, and in connexion with the whole tenor of my report, and of the correspondence handed up with it, I am at a loss to perceive why his Lordship should have come to the conclusion that when, in my yad of the 6th September 1848, I reiterated my requests of the 4th of that month, I did not really, as asserted in my report, design "to afford my successor an impregnable ground on which to take his stand, in insisting on the examination of Larbaee being taken, and the inquiry brought to a close."

61. I cannot but hope that, on re-consideration, his Lordship in Council will authorise you to cancel the reproach of which I complain; for not only have I, in my report, given the word of a British officer that a certain motive influenced me in writing the yad of the 6th of September; not only do I again reiterate that same guarantee, but I do think that when all the circumstances of the case are remembered, when the nature of my correspondence with the Durbar is considered, when my intention on the 6th of September to leave Baroda in a few days is borne in mind, together with the fact of the precaution I had adopted of preparing the voluminous translations of the correspondence to facilitate my successor's examination of and report on the case, when it should come before him on being brought to a close by the Durbar, the statement made in my report bears on its very face an air of truthfulness.

62. I now beg to offer a respectful protest against the charges conveyed in your 54th, 55th, and 56th paragraphs, which are designed to substantiate the heavy accusation brought against me in your 30th para., to the effect that I am myself responsible for much of Joitabae's sufferings.

63. In your 54th para. (that succeeding the one in which, by emphasising the word "now," you appear to charge me with dishonesty) you thus write:

Underlined in the original.

“On examining your correspondence at this period with the Durbar, in connexion with your present report, Government is entirely at a loss to understand how with your opinions you failed to leave on record, for the guidance of your *locum tenens*, and also omitted to communicate to Government, in so intricate and important a case, the strong suspicions which you state you entertained that the punchayet did not act fairly to Joitabae.”

64. Let me, in commencing my reply to this para., quote the words you have yourself used in your 39th paragraph :

“His Lordship in Council deems it scarcely requisite to call attention to the fact that a subject of the Guicowar possessing the British guarantee, all that he can claim from the British Government, in virtue of this guarantee, is protection from the prince, whose proceedings, or the proceedings of whose court, in the case of a guaranteed party, can be brought in appeal before the Resident.”

65. Allow me also to quote your next, or 40th para. :

This underlined in original.

“It must be obvious, as the direct consequence of this most inconvenient and embarrassing of relations, that every act of direct interference on the part of the Resident, will be regarded by the prince and the people with a jealousy as natural as it is intense ; while, on the other hand, every appeal to the Resident by a guaranteed subject will be viewed as an act of rebellion against his lawful prince. It also follows, from the nature of the connexion, that the superior Government at the Presidency, upon whom the ultimate disposal of every case may devolve, must be left entirely at the mercy of the Resident, whose authority and opinion, except under very extraordinary circumstances, it is almost compelled to support.”

66. This, sir, is not the place to inquire into how far, or how often, my authority and opinion have been supported by Government during the last 20 months, or what very extraordinary circumstances have occurred to induce Government to withhold its support ; nor shall I allude to the inconvenience of guarantees, further than to say I have for long been their steady opponent.

67. But though opposed to them, and anxious for their abolition as often as opportunities for abolishing them arise, it was my duty as Resident to respect those which the Government persisted in maintaining, and to take care that the protection against injustice which they promise should be a *bonâ fide* and effectual protection.

68. As several cases (amongst which I need only quote those of Govindrow Guicowar and Ghorajee Pole) prove, I have ever laboured, and often very successfully, to fulfil that duty ; and when the case of Joitabae was brought to my notice, I resolved not to fail in my duty towards her.

69. But, as you admit in your 39th paragraph, I could only with propriety interpose my authority effectually, and with success, when the case of Joitabae was “brought before me in appeal as Resident.” It could only be brought in appeal before me after some decision had been given by the Guicowar Court. On the 27th of November 1847, I intimated my intention to examine well into the case when it did so come in appeal before me. His Lordship in Council admits that I did exert my best efforts to bring the proceedings of the punchayet to a close, with a view to enable me to hear the case in appeal ; and it was, therefore, no fault of mine that, under various pretexts, the case had not come in appeal before me, when, on the 12th of September 1848, I left Baroda.

70. That the pretexts advanced for delaying to close the proceedings of the punchayet were frivolous, I conceive that my correspondence with the Durbar unequivocally demonstrate. That the object of the delay was to throw impediments in the way of Joitabae obtaining justice, is not only obvious from the entire context and whole history of the case, but was obvious to me at the time ; and that it was, as has been already said, with a view to strengthen the hands of my *locum tenens*, and enable him to insist on the case being brought to the Residency, that I penned my yad of the 6th September.

71. That my *locum tenens* would act on the yad in question, and submit the case to the same strict investigation that I myself had contemplated, I never doubted.

72. Whoever

72. Whoever he might be, my letter of the 27th November 1847 would, I conceived, apprize him sufficiently of my intention to investigate the case in appeal, and of my anticipation that it would be necessary to "test" much of the evidence recorded by the punchayet; whoever he might be, he would have for his assistant Lieutenant Battye, who knew my opinion as to the general harshness of the treatment experienced by Joitabae and her mother; who was aware of the annoyance I had experienced at the delay in closing the punchayet's proceedings, and who was well aware of my intention to subject these proceedings to a severe scrutiny. Whoever he might be, he was likely, for some time at least, to enjoy the services of Nursoo Punt, whom Government declared to be above suspicion, and whom, though I believed him to be a rogue, I did not consider sufficiently bold to deceive my *locum tenens* in the remarkable manner he subsequently deceived Captain French. Whoever he might be, he would I knew have before him the whole of my correspondence with the Durbar, the whole tenor of which proved that I believed Joitabae to be harshly dealt with; and that he might have the less difficulty in entering on his investigations, not only did I leave on record my yad of the 6th September, but I ordered the translation of the native correspondence, and ere I left a considerable portion of them had been translated.

73. It certainly never entered into my imagination that more than this was necessary; and if more than this had been requisite, I had neither the time nor the health to perform it; for at that time I was overwhelmed with work, having been engaged in the very important, intricate, laborious, and difficult investigations connected with the cases of "Ghorajee Pol and Govindrow Guicowar."

74. The Joitabae case was indeed an important one; but it bore its importance on its very face; and to have left on record my opinion that it was important, would have been indeed a work of supererogation. Of its intricacy it was morally and physically impossible that I could know aught, as the case had not been before me.

75. But so soon as I was assured that Captain French was to be my *locum tenens*, I personally drew his attention to this case, as one of the most important to which he would have to devote his early attention; and it is not likely that I could have failed to impress on him the necessity of going over the whole case carefully and patiently, inasmuch as Baba Nafra was a powerful and unscrupulous man, inasmuch as I suspected Nursoo Punt of having been in collusion with him, and inasmuch as there was an evident anxiety on the part of the punchayet to throw difficulties in the way of an impartial adjudication; and this I must have done, not, as you are pleased to say, in "desultory conversation," but in the course of the many conversations I had with him in regard to Baroda matters during our almost daily intercourse throughout the six weeks I passed in Bombay, and in reference to the duties he was about to assume, I having from the first looked to him as my successor; conversations in which I did my best to warn him against those who I feared would endeavour to mislead him.

76. But you say that the Right honourable the Governor in Council is at a loss to understand why I did not communicate to Government, as well as to Captain French, the suspicions I entertained that the punchayet did not act fairly to Joitabae.

77. Why, sir, you are well aware that such a communication could not have been defended on precedent. Your own 39th and 40th paras. distinctly imply that it is highly improper in a Resident unnecessarily to interfere with the proceedings of a native prince, situated as is the Guicowar. You distinctly indicate that the proper time for the interposition of the Resident's authority, is when the case comes in appeal before him; that then is the fitting season for him to protect the guaranteed parties from the injustice of the prince, or the unfair dealings of the courts appointed by him.

78. Assume, sir, that I had actually placed before the Government, not only strong but well-substantiated opinions, what was the answer I could have looked for? Why, that it would be my duty, when the case should come before me in appeal, to do my best to secure for Joitabae that justice which I believed the punchayet was striving to withhold from her.

79. What answer have I received to a report, in which I not only expressed suspicions regarding the punchayet, but proved them to have been guilty of the most nefarious falsification and suppression of evidence? What answer did I receive when soliciting Government to effect the removal of a minister, without whose sanction and complicity, as known to every man conversant with native courts, these nefarious transactions could not have been perpetrated? Expulsion from office.

80. And what, sir, had I to communicate? Suspicions merely. But suspicions only, suspicions the accuracy of which I could not have demonstrated. The Government knew as well as I did the overwhelming power and influence possessed by Baba Nafra; they were as well informed as I was of his unscrupulous character; they knew equally with myself that it was inconsistent with Asiatic character to suppose that impartial justice was to be expected from any tribunal appointed by the Prince to adjudicate between this wealthy, powerful, and wicked man on the one hand, and a helpless outcast widow on the other; they had before them the petitions of Joitabae and her mother.

81. All that I could have placed on record before would have been my own views as to the motives which induced the punchayet to delay closing their proceedings. My own suspicions, that some of the evidence was suborned, had been intimated to them in November 1847, when I expressed my fear that some of the evidence would require to be tested.

82. In your 55th para. you thus continue: "You quitted Baroda (on the 12th September 1848) without a sign, without a word, to intimate your suspicions or intentions, either to Government or to Captain French, your *locum tenens*. To the latter you bequeathed indeed a mass of correspondence, in part translated. But that you entertained at this period a suspicion of unfair play, can hardly be deduced with fairness, from a close study of these papers, and would certainly never be suggested by a casual perusal of them."

83. In addition to what has been said in the preceding paras., I have only to observe, in reference to the quotation from your letter just made, that I had expressed my intention to Government, to the Guicowar, to my native agent, and to Mr. Battye.

84. Your 56th para. simply re-produces the same charge against me. In your 57th, you inform me that Captain French has not the slightest recollection of my having warned him as to the precautions requisite to be taken in reference to the Joitabhae case, though he remembers having had an interview with me before I quitted Bombay for Egypt.

85. I need not remind Government that I have had, on more than one occasion, to point out rather painful illustrations of the defective nature of Captain French's memory. And, as to recollecting only one interview with me before I left for Egypt, I can only say that the assertion astonishes me. It is not secret to Government that I solicited, as a personal favour, the appointment of Captain French as my *locum tenens*. I did so, because I had formed a high estimate of him, both in our friendly relations and as my assistant in Beeloochistan; and I appeal to his Lordship in Council, whether it be not intrinsically absurd to suppose that, under these circumstances, interviews between us were not frequent during the six weeks I was residing in Bombay, within a few hundred yards of him, prior to my departure to Egypt. As I have often recalled to the attention of Government, I was at that time constantly importuning my friends in office at the Residency to dispose of the Govindrow Guicowar and Ghorajee Pol cases before I left for Egypt, expressing my readiness to wait till their disposal took place, so important did I deem the revelations and recommendations they contained; and I appeal to his Lordship in Council whether it is not violently improbable that, taking such an interest in Baroda affairs, I should have failed to discourse with my expected successor on these and the other important cases that had recently pended or were then pending before Government.

86. In your 58th para. you inform me that I had left the record, which I am censured for not having left:—"Government cannot suppose that that officer (Captain French) would have thought it right to substitute for an inquiry brought to a close, and which he could, if unjust, have set aside and rectified, new proceedings and a new court, the most influential members of which were the

the same biassed and unfair judges who had so long trifled with the inquiry and with the patience of the Resident, and whose award would soon be final."

87. What Captain French might or might not have done under circumstances different from those in which he was placed, is a field of speculation in which it is not for me now to enter. I have shown what means he had of ascertaining how matters stood. I have shown that but little was required to bring the case in appeal before the Resident. It has been seen that instead of doing this little, Captain French had recommended the appointment of a new tribunal, that tribunal not being a criminal court, to try Baba Nafra on the charge of child abduction, but a court of arbitration, the half of which to be practically nominated by Baba Nafra, in whose hands the other widow was, and whom he himself knew and reported to be a leading man among that combination of bankers who "ruled the ruler of the country."

88. Your 59th and 60th paras. reiterate in other words the same opinion of Government; and to it I have only to observe, that I fully warned Captain French that the native agent was a man whom I more than suspected to be in collusion with Baba Nafra.

89. In your 61st para. you inform me that my "departure without a report to Government, or a line of explanation to Captain French, was a very serious error of judgment."

90. Even did I desire to do so, I have not time, suddenly driven from office as I am, to notice and reply to most of your succeeding paras.; though I think I could prove that they contain much that is open to question and refutation. But even had I time, I should abstain from entering on a refutation of them, for I could not do so without appearing to make reflections on Government; and such is very far from my desire. All I shall do is, to express my hope that the honourable Court of Directors will not assume your letter to be so full and satisfactory an examination of my Report as to supersede the necessity of a rigid comparison of it with that Report, with my other Reports on Khutput, with the evidence taken before Mr. Frere's commission, and with the correspondence that immediately preceded and followed my dismissal from office.

91. To those of your succeeding paragraphs which are devoted to a vindication of Government and Captain French, in respect of the treatment received by Joitabae Settanee during my absence from Baroda, I feel much delicacy in replying. It is very far from my wish to say aught that could in any way bear a disrespectful construction, or appear hypercritical; yet I feel that did I not appeal against many of your assertions, I should be regarded as tacitly admitting their justice and applicability; and as such is very far from being the case, I am compelled to notice a few of them. In doing so, however, I shall endeavour to my utmost to leave all unsaid that could by any possibility give offence.

92. Notwithstanding the contrary sentiments implied by you in your 66th and other paragraphs, I beg respectfully to adhere to the opinion, which I endeavoured to substantiate in my report, that when Captain French reported to Government that on his assumption of office the case of Joitabae was as far as ever from an amicable settlement, he was, through inadvertence or the treachery of his native agent, misled into the use of language calculated to convey to Government a most erroneous idea of the real progress which the case had made before the punchayet, and of the facilities which then existed for bringing it under investigation at the Residency. You are pleased to express your belief that when, on the 15th of November, 12 days after his assumption of office, Captain French sent in his first letter in disparagement of Joitabae, he must have been aware of all that had taken place. This belief you found on accompaniments to his letter, consisting of translations of the earlier papers on the subject, and which I had caused to be rendered into English with a view to facilitate the proceedings of my *locum tenens*. And of these translated papers you select one in particular as deserving to be quoted in support of your views, viz., a "yad" from Joitabae, dated 14th February 1848, a fortnight before the arrival of her mother at Baroda, and eight months prior to my departure from Baroda; eight months during which I had, as the Government admit, made constant and strenuous efforts to get Larbae to give her evidence, and thus enable me to take up her case on appeal. I confess I am at a loss to perceive the cogency of your reasoning.

93. Even if Captain French had read those earlier papers on the subject which I had caused to be translated for his use, they could have given him no idea of the progress the case had made in September or November 1848, the former being the month of my departure, the latter that of his assumption of office, and of his communication to Government. But, as I have shown in my report, there is strong internal evidence that he had never read even the translated papers; and that he had never read the untranslated papers, all must admit who would avoid the alternative admission that he knowingly and intentionally gave a false account of these papers to Government.

94. For it is my duty to remind you of the fact, which you have not noticed, that when Captain French described the untranslated papers as "a denial on one day of what on the previous day was asserted, subterfuges and evasions, but all on the part of Joitabae and her parents," he grossly misrepresented them, and that too in a manner in the highest degree calculated to impress Government with the belief that Joitabae was, in very deed, the impostor which his letter of the 15th November seemed to imply, and which his subsequent letters explicitly stated her to be.

95. That he misrepresented the untranslated papers intentionally is what I never believed; but that he did misrepresent them, is beyond controversy or cavil. And I think I have, in the course of my report, distinctly enough traced these and other misrepresentations on the part of Captain French to their true source, viz., the evil influence exerted over him by the wily but winning Nursoo Punt, whom, in spite of what I had urged against him, Government had pronounced to be a man above suspicion, and whom they had invited to remain at the head of my native establishment.

96. I must therefore respectfully deprecate the assertion contained in your 67th paragraph, that if Government erred in sanctioning the court proposed by Captain French for adjudicating in Joitabae's case,

"The blame of its sanction must rest between yourself (Colonel Outram), who had neglected to state what you knew and believed, and Captain French, who had stated what he had not ascertained positively to be the case, although he believed what he stated."

97. I respectfully disclaim any responsibility in the matter; and I trust his Lordship in Council may yet be pleased so far to modify his views as to divide the blame, whatever its amount, between Captain French, who, while he rejected the normal mode of procedure in such cases, conveyed to Government erroneous information, and Nursoo Punt, who, in spite of what I had urged against him, was retained as native agent, and who even, Government itself admits, kept Captain French in ignorance of what it was his duty as native agent to have communicated to him. *Vide* para. 87 of your letter, under reply.

98. I cannot admit that I withheld from Government any information which it was my duty, or the usage of a political officer, to communicate. I had communicated to Government that the case was under investigation by the customary, proper, and legitimate tribunal, viz., a court appointed by his Highness. I had clearly indicated my intention of reviewing and testing the proceedings of that court, so soon as they were closed. This the Government authorized, nay, by implication compelled me to do, as Joitabae had appealed against its acts. The Right honourable the Governor in Council himself admits that I had used my best efforts to hasten the closure of the court's proceedings, with a view to revise and test them at the Residency. And the history of the case, as illustrated by the correspondence, will, I feel assured, satisfy his Lordship in Council, and the Honourable the Court of Directors, that had not sickness driven me from Baroda on the 12th of September, I should, within a fortnight from that date, have been able to enter on my review. But sickness did drive me away. And to enable my *locum tenens* to do that which sickness prevented myself from doing, I reiterated on the 6th of September the yad of the 4th. With a view of facilitating his labours, I had caused my assistant and establishment to work as diligently as their numerous other duties permitted, at the translations of the native papers that had already been filed on the case. And I never doubted that Captain French would, in conformity with usage, to say nothing of the wishes of an old friend who had rendered him many services, and personally solicited his nomination to Baroda, follow up the procedure I had adopted, the adoption

adoption of which, had he read my letters, he must have seen I had intimated to Government, and which was the official, the normal, and the proper one.

99. I repeat, that I had nothing to communicate to Government regarding the case. Whether, sir, would Government have thanked or censured me, had I from time to time pestered them with communications to the effect, that the punchayet had not yet closed its proceedings, but that by patience, forbearance, and management, I hoped soon to induce them to do so; that then I should review and test their proceedings at the residency; and that, having done so, I should do myself the honour to report the result of my investigations? Had I sent such communications to Government, should I not have justly laid myself open to a smart reply, under your own hand, intimating that Government, having confidence in my desire and ability to do justice, would consider my report when it arrived, but did not require me to report non-progress, as I seemed inclined to do.

100. Till the case came before me, I could not, by any possibility, know anything of its merits. I could know nothing of its facts, its features, its difficulties or its intricacies; most certainly I could not have even suspected the high degree of roguery which the punchayet were practising.

101. All that I could have communicated to Government would have been my suspicions that justice was not being done to Joitabae by the punchayet, and that the foolish despairing Larbaee was unintentionally playing into their hands. But, as I have previously stated, in abstaining from communicating these suspicions to Government, I neglected no duty. This communication would have been of no use. They were suspicions which the punchayet and the Durbar would, if referred to on the subject, have pronounced unfounded. And they were suspicions on which Government could have founded no decisive act of interposition, without exposing themselves to the charge of arbitrary interference with the judicial action of the courts of "a compliant and friendly ally." For the guarantee, if honestly acted on, afforded a normal and adequate opportunity for meeting and obviating the suspected evil. I again repeat, that to have written to Government, while at Baroda, to announce to them any suspicions I might have held, would have been contrary to usage in such cases, and bootless likewise. To have communicated them to Government, after I had announced my intention to leave Baroda, would have justly subjected me to the charge of supposing that Government would nominate as my *locum tenens* some one incompetent for the office, from his ignorance of native character and native courts. No one, sir, who understands either, would for one moment believe that strict justice was to be looked for at the hands of any punchayet appointed to adjudicate between a helpless outcast widow and one of the leading bankers of the place, however unprepared he might be for those monstrous acts of villany which are disclosed in Part IV. of my Report; villanies, some of which had not then been perpetrated, and few of which I could have suspected when I left Baroda.

102. In connexion with this subject, I would beg to recall your attention to the 69th and five following paras. of your letter, in which you seem to imply that I accused Government of intentional unfairness towards Joitabae, during my absence from Baroda.

103. If, sir, there be one line, one word, which on consideration his Lordship considers can fairly bear such an interpretation, I beg that I may be allowed to cancel it, or so modify it that it may cease to be susceptible of a meaning it was never meant to convey.

104. I showed that, during the period in question, Joitabae was the victim of great injustice.

105. I showed that Captain French had either failed fully to ascertain the progress the case had made when he assumed charge, or that he had culpably misstated it.

106. I showed that he had, on the 15th November 1849, not only communicated erroneous information to Government, defamatory of Joitabae, but that he had grievously misstated the nature of her and her mother's petitions; representing them to be "denials on one day of what on the previous day they had admitted subterfuges and evasions."

107. I showed that, along with these erroneous representations, so calculated to prejudice Government against Joitabae, he had recommended that her case, which it required but a firm representation on his part to bring in review before him, should be reinvestigated *de novo* before an essentially different tribunal, from the decisions of which there should be no appeal to the Resident.

108. I showed that he persistently turned a deaf ear to Joitabae's reiterated petitions, for the means of submitting her case to the tribunal of his own recommendation.

109. I showed that he had erroneously represented that Joitabae had refused to submit her case to the tribunal he had suggested, but which he denied her the means of doing; and that, on this erroneous representation, he had solicited, and obtained from Government, an intimation to the effect that they would not interfere further in her behalf.

110. I showed that he, with equal persistency, turned a deaf ear to Joitabae's request to be permitted to enjoy the services of a vakeel, which I had insisted she should be allowed.

111. I showed that he had allowed Baba Nafra, and the Durbar, to place Joitabae under a custody but little less offensive than that from which I had long before insisted on her release.

112. I showed that in replying to Joitabae's just complaints against this confinement, and to her entreaties to be allowed the means of submitting her case to arbitration, he had addressed insulting communications to her.

113. I showed that when called on to furnish to Government translations of certain petitions, which Joitabae had sent to Bombay, bitterly complaining of his conduct, exposing its injustice, and bewailing the evil advice given to him regarding her by Nursoo Punt, Captain French, after keeping the petitions for upwards of a month, sent what he called the substance of one, and described the rest as a mere repetition of a former petition she had submitted in December 1848; whereas they complained of many matters that had taken place at periods subsequent to that event.

114. I showed that at the time Captain French was treating Joitabae in this manner, he had, on his own responsibility, cancelled the prohibition which, for most valid reasons, a former Government had issued against admitting her persecutor, Baba Nafra, to the residency; permitting Government to labour under the delusion, that the prohibition had been practically rescinded, or allowed to lapse, by previous Residents.*

115. And I said, what must be obvious to yourself, and to any one at all acquainted with Baroda, that Joitabae's vain appeals and unredressed wrongs, coupled with the past history of Nursoo Punt and Baba Nafra, with the boasts of the former, that through his influence with Mr. Reid he would secure immunity to the latter, and with the well-known wealth and bribing propensities of the latter, calculated in a high degree to strengthen the existing belief in the efficacy of khutput made in Bombay.

116. But Joitabae's protracted sufferings I attributed to their obvious cause: viz., the erroneous representations made to Government by Captain French.
And

* And it was not without pain that I had to show these points. Captain French and I had been bosom friends for upwards of 30 years, and the high opinion I formed of him from his procedure in Scinde and Rajpootana, in both of which countries he owed his employment, in a political capacity, to my own selection or interposition, made me wish to see him nominated as my *locum tenens*, and induced me to solicit his appointment. When, on my return from Egypt, I found that he had lent his countenance to the persecutors of Moreshwar Fudkay, I felt that we could no longer be friends, and intimated so to him. After my return to Baroda a reconciliation took place, but on discovering, in the course of my investigations, the extent to which he had allowed himself to be made a tool in the hands of Nursoo Punt, for the persecution of Joitabae; that he had thrown himself into the arms of those against whom I had cautioned him; discountenanced those whom I had recommended to his protection; and seemingly prescribed, as his rule of action, the reversal of all my arrangements, I felt it my duty to make our estrangement final. Had he been my brother, I should have done the same. I have had, in the discharge of the duties that have devolved on me during the last two years, to risk, if not lose several old, and as I had hoped, lasting friendships; and the alternative of doing so, or swerving from the strict path of duty, is the most painful of the many painful trials to which I have been recently subjected.

And these, again, I traced to the deceptions practised on that officer by the wily, unprincipled Nursoo Punt, the relative of Baba Nafra, the promoter of his interests, the recipient of his gold.

117. I now beg to notice another of the censures conveyed in your letter under reply.

118. In my Report on the Joitabæe case (when, after months of labour, I had fairly mastered its various features, and made myself fully acquainted with the details of its history during his administration), I condemned the proposal of Captain French, that the case in question, which it only required a firm representation on his part to bring before himself, should be sent before a court of civil arbitration.

119. And in your 76th paragraph, you taunt me with inconsistency, because on my return from Egypt, after an absence of 18 months, and having before me, for the formation of my opinion, the erroneous representations of Captain French, and the thrice repeated declarations of Government that they would not interfere in behalf of Joitabæe, I had begged that that lady might still be allowed the chance afforded by a court of arbitration. In making this request I expressed myself as follows: "I see no possibility of a dispute of this nature being adjusted except through the medium of arbitration, suggested by Captain French."

120. Why, sir, the mere fact that for many months I had laboured to my utmost to have the case brought in review before myself, clearly enough shows, that when I thus spoke of "a dispute of this nature," I alluded to the case as it then stood, after the supposed failure of the normal mode of procedure which I had myself projected.

121. It was not very likely that I would have taken the immense trouble I did, had I approved of denuding guarantee holders of the advantage of an appeal to the Resident, by compelling them against their will to have their remonstrances against outrage referred to a court of arbitration, and by compelling them to give a written pledge to adhere by the result of that arbitration, whatever it might be, or however obviously unjust it might prove; yet this was precisely what Captain French did.

122. When I requested that Joitabæe might still, notwithstanding the reiterated refusals of Government to interfere further in her behalf, be allowed an arbitration, I had just returned to Baroda after a protracted absence. I had been informed that Larbæe had peremptorily refused to give evidence before the punchayet; and I had not then had time, nor did I deem it necessary, to ascertain how far this was true, or how far a misrepresentation on the part of the Durbar. I naturally believed it was true; that on my departure Larbæe in despair had refused to place herself in the hands of unscrupulous men, who constituted the punchayet.

123. I had not then tested Captain French's statements. I could not imagine that his treatment of Joitabæe had been harsh and unjust. It never occurred to me to suspect that his representations regarding her were so wide of accuracy as subsequent relations proved them to be. I had consequently returned to Joitabæe on the 8th June 1850, a petition which, accompanied with a letter, I had received on the 21st of May, reminding her that she had forfeited all right to claim the assistance of Government, inasmuch as she had declined to comply with the conditions which Government had prescribed for her case. I had on the 8th of June, replied to her by intimating that she had refused to submit her case to the arbitration recommended by Captain French, and sanctioned by Government.

124. How matters subsequently stood, and what my motives were for recommending that she should still be allowed the benefit of an arbitration, are points elucidated in the 137th para. of Part II. of my Report. After alluding to my letter to Joitabæe, of the 8th of June, I thus expressed myself in that paragraph: "In reply, I received on the 24th of June a letter from Joitabæe (dated the 18th of that month), the allegations of which, if true, showed that in describing Joitabæe as refusing to submit her case to arbitration, Captain French had hardly done her justice. Other pressing duties had so occupied me since my return to Baroda, that I had not had time to enter into any very careful

examination of the correspondence that had taken place during my absence, beyond what I saw on the English records, the correctness of which of course I never doubted. I was therefore unaware of the peculiar way in which Joetabhaee's petitions had been treated; and 18 months' absence, during which my attention had been directed to widely different matters, had caused many of the facts and features of the case to be effaced from my mind. The determination of Government, already three times recorded, not further to interfere in Joetabhaee's behalf, with the Honourable Court's acquiescence in that decision, seemed to me to have effectually closed the matter. But the letter of Joetabhaee, and a cursory glance at the documents referring to her, in my office, led me to hope that Government might still permit her to submit to the arbitration, on her alleged non-acquiescence in which was founded the refusal of Government to interfere in her behalf. And if such arbitration was still open to her, I trusted to my influence securing a Sir Punch (umpire), who should not be entirely the creature of Baba Nafra; even a decision hostile to Joetabhaee would not make her position worse or more helpless than it was. And I was not without hopes that by keeping a sharp eye on the punchayet, and from time to time exercising my legitimate influence, I might secure for Joetabhaee, if not justice, at least a mitigation of any gross injustice of which, as the inquiry proceeded, she might seem to be the victim."

125. Such, sir, was the explanation given in my report of my reasons for expressing myself in favour of adopting Captain French's proposed court of arbitration, when, as I conceived, Joetabhaee's mother, by persistently refusing to appear before the first punchayet, had given them a plea for withholding their report, and thus for preventing the case coming in review before the acting Resident, as normally and by virtue of the guarantee it ought to have come. I therefore trust that, on reconsideration of the circumstances which led me to express my approval in 1850 of an arbitration which in 1847 and 1848 I should have scouted, and the recommendation of which in 1848 subsequent investigation led me to condemn in 1851, his Lordship in Council may be pleased to modify his opinion, as expressed in your 77th para., wherein you state that I expressed myself, "in very unqualified terms, and such as are calculated to satisfy Government of the good judgment exercised in the matter by the acting Resident, Captain French."

126. Again, sir, in the paragraph of your letter immediately preceding that from which I have just quoted, you express the surprise of Government that, suspecting as I did, that the first punchayet appointed in 1847 had not acted fairly to Joetabhaee, I should not in June 1850, when begging that Government would still allow Joetabhaee to enjoy the benefit of an arbitration, have alluded to the former body.

127. I cannot, sir, conceive what should possibly have induced me to think of importing the name of the punchayet into my letter. That body had been defunct for 19 months, owing, as I was led to believe, to the obstinacy of Larbaee in refusing to appear before it. It was a thing of the past. Another tribunal of a completely different character and constitution had been ordered, the award of which Government had decided should be final. And even this body had never been called into existence, owing, as the letters of Captain French and the Government stated, to the refusal of Joetabhaee to aid in its formation, and to submit her case to its decision. Her letter led me to infer that there must have been some mistake, that she had been partially misunderstood by Captain French. From the character of Baba Nafra, as well as from what little I recollected of the verisimilitude of her and her mother's statements in 1846-47 and 1848, I believed that she had been the victim of some injustice; but how could I fail to suspect that her former allegations must have been greatly in excess of the truth after reading Captain French's despatches; still, as I had reason to fear that she had many just causes of complaint, and as she seemed unconscious of having declined to submit to the conditions prescribed by Government, I sought to be authorised to give her another chance, and in doing so I thus expressed myself: * . * "It is possible, and I think very probable, that the petitioner has received foul play at the hands of that notorious individual, Baba Nafra."

128. On this you comment as follows, underlining your words: "It is to be observed, that you say not a word of the commission"—(Punchayet).

129. Again, sir, let me ask why I should say a word of the commission? Yet, from the underlining of your words, you seem to imply that they are pregnant with meaning; and again, in your 99th para., you refer to the same subject, observing:

"Government cannot doubt that when you addressed Government, in your letter of the 24th of June 1850, you did hope, as you observe in your 137th para., that Government might still permit Joitabhaee to submit her case to the proposed arbitration; and you stated in that letter that you suspect Baba Nafra (not the Gaekwar Durbar) of foul play."

130. Once more, sir, let me ask why I should have gone out of my way, either to attack a defunct body, whose very existence was ignored by Government or the Durbar, against whom I could have said nothing more than that I suspected them of a gross feeling of partisanship towards Baba Nafra? You seem to forget that, besides a perusal of the English records and a very hasty glance over some of the native records, I knew no more about the case in June 1850 than I did in September 1848; indeed I knew far less, for in 18 months many of the events of 1847 and 1848 had escaped my memory. That the Durbar would display a partisan feeling towards Baba Nafra, so far as lay in their power, it required but little knowledge of Baroda to be fully aware; but what had that to do with my recommendation that Joitabhaee should still be permitted to refer her case to a court of arbitration, with the formation of which, by the very terms of its constitution, the Durbar was to have nothing to do? My reason for making the recommendation was my belief that, whatever its precise nature or amount might be, Joitabhaee had received foul usage from Baba Nafra; and I stated my reason. When, after receiving the entire proceedings, and showing that the Durbar had acted a shameful part (*vide* my Report, *passim*), I suggested the adoption of certain mild measures for preventing a recurrence of such evils, what encouragement or commendation did I get? Why, my letter was not answered for eight months, and then my charges are ignored, my recommendations unnoticed. When, after furnishing many other complaints, and furnishing much information against the minister of a very serious character, I was compelled to counsel his removal, what answer did I receive? The announcement of my removal! (*Vide* my letter to your address, dated 5th Dec. 1851.) And, sir, at the date of writing my letter of the 24th of June 1850, what encouragement had I received to communicate "suspicions" regarding any one? Had I not, in September 1848, communicated much more than suspicions regarding Nursoo Punt? And had I not been reprimanded, in my absence, in a somewhat unwonted manner? Had I not been accused of lightly assailing the character of native servants? Had not Government entered into a most elaborate and ingenious defence of the man against whom I had stated much more than suspicions? Had not Government thrust back into the most confidential post in my office a man in whom I, the responsible head of the office, had stated that I could place no confidence, the man whom I suspected of being in collusion with Joitabhaee's persecutor, the man whom Government themselves are now constrained to admit did withhold from my *locum tenens* the information it was his duty to have communicated, and the man whom I cannot believe that Mr. Frere could possibly have acquitted of the charges on which Government obliged me, at an immense cost of labour, and under circumstances of some humiliation, to prosecute before a legal tribunal? *

131. But though I had not myself stated that the Durbar bore a partisan feeling towards Baba Nafra, Captain French had clearly implied to Government that such was the case; at least I find, in the 6th para. of his letter recommending arbitration, he thus expressed himself:

"The

* Regarding Mr. Frere's decisions I know nothing, for that gentleman felt that he would be acting contrary to the wishes of Government in communicating to me the result of his investigations. And though Government put me under all the disadvantages arising (during the trial) of prosecuting in their name (*vide* my Khurput report), they have not honoured me with any instruction on the subject, save those few meagre allusions to Nursoo's connexion with Baba Nafra contained in your letter under reply.

"The petitioner, under the influence of a vakeel she brought from Bombay, evades an investigation. She questions the impartiality (perhaps justly) of a punchayet appointed by his Highness."

132. And though (as in my Report I have shown) Captain French stated what was not correct when he declared that Joetabhaee "evaded an investigation," you, sir, could have informed Government, from your personal knowledge and experience of Baroda, that the chances of the outcast Joetabhaee obtaining justice from a punchayet appointed by the Durbar, when she appeared as suitor against Baba Nafra, were very slender indeed.

133. And Part IV. of my Report distinctly shows, that the two punchayets that were appointed by the Durbar hesitated not to commit the most disgraceful frauds with a view to benefit Baba Nafra; yet of this no notice has been taken.

134. In allusion to my request, made on the 24th June 1850, that Joetabhaee might still be allowed the benefit of an arbitration, you thus observe in your 100th para.:

"Had no discovery been made and the case allowed to run its course, it is notwithstanding impossible to say from the concluding words of that letter (letter 24th June 1850), that you would have considered it necessary to interfere in the proceedings of the punchayet, as you have with those of the court which tried Baba Nafra."

135. The court which tried Baba Nafra was a Gaekwar court; Joetabhaee, whose interests were at stake on the result of the trial, enjoyed the British guarantee; and so, according to the liberal construction put on the guarantee by Government, did Baba Nafra. It was, therefore, my duty to review its proceedings most rigorously, after the various revelations that had recently been made to me; and this, too, as well on behalf of Joetabhaee, so long the subject of unmerited sufferings, as because Baba Nafra himself appealed against the decision.

136. The court recommended by Captain French, sanctioned by Government, and permission to make use of which was afterwards sought by myself on behalf of Joetabhaee, was a purely private court of arbitration, which, by the very terms of its constitution, precluded a review by the Resident. But, at the same time, the guarantee enjoyed by Joetabhaee entitled the Resident to interfere, while that committee was conducting its proceedings whenever clear injustice was being perpetrated; such as prohibiting Joetabhaee having the advantage of a carkoon to take down the evidence as it was given before the court, imprisoning, intimidating, or corrupting her witnesses, or any other of the nefarious practices that powerful natives had been known to have recourse to, with a view to crush feeble adversaries.

137. If, sir, I have been unnecessarily diffuse in the foregoing paragraphs, you must attribute it to my literary imperfections, and to the difficulty of answering accusations in the same brief manner as that in which they are conveyed. If I have not followed your accusations always in the order in which you have stated them, and if I have often had to be guilty of repetitions, my excuse is, that you have reiterated the same form of accusation in connexion with so many different parts of your letter, that an unpractised arguer like myself is completely puzzled at what stage to take them up, and is sometimes driven to notice them at several stages.

138. Many of your assertions and implications I have not noticed; some because I could not well do so without appearing to call in question the discretion of Government; others because I have not time, under the very peculiar circumstances of my position, to enter into a full and complete analysis of your letter. But there is still one accusation you make against me, which I crave permission to notice, before I proceed to the most important part of your communication, viz., a few remarks on the view taken by Government of the authenticity of Joetabhaee's pregnancy and confinement.

139. In the 68th para. of your letter, in allusion to the 34th para. of Part II. of my Report, you say that I would seem "to overlook the fact that the Gaekwar, not I myself, was Larbaee's sovereign." This, sir, is a charge so similar to one of those contained in your letter of the 27th November 1851, and in which you
were

were directed by Government to inform me that my removal from office was based and justified, that I cannot allow it to pass unanswered.

140. In order to answer it, I shall quote, not only the expression in the 34th para. of Part II. of my Report, but some of its contents.

141. After pointing out the helpless and seemingly hopeless case of Joetabhaee and her mother Larbaee, showing that the punchayet had insisted on subjecting the latter to a mode of examination from which they had exempted the other female witnesses; mentioning that at length she had agreed to give evidence before that body on their own terms, in consideration of my assurance that when the case came in appeal before me I would see that justice was done to her, and stating that she had, after my departure, given the punchayet all the evidence they had a right to demand of her, merely refusing to state the names of the witnesses she held in reserve till the case came in review before the Resident, I thus expressed myself: "She had consented to give her evidence, and in all respects submit herself to the behests of the punchayet,* upon the assurance that I would see justice done to her and her daughter when the punchayet's proceedings came before me. She had made overtures to this effect to the Durbar, and she had seen the very bearer of these overtures contemptuously turned away. From no one in power but myself † had she or her family received treatment which ordinary humanity, justice, or manly feeling dictates. And, after I had gone, she must naturally have felt that she had no one save Government in whom to place her trust. For while she knew not who my successor might be, she was well aware that from the moment he entered on his duties every effort would be made to poison his ear, to misinform him, and mislead him, by the native agent, Nursoo Punt, the relative, and, as she was well aware, the creature and accomplice of Baba Nafra. And I am sure that no one possessed of manly feelings, of common sense, or of the faintest sentiment of justice, will blame her for refusing to detail the evidence she had to adduce in support of her statements, while Baba Nafra remained at large and all-powerful—the lord paramount of all the servants of the bank, able to dismiss or imprison such of them as might hereafter say a word in behalf of Joetabhaee, as he had already dismissed and imprisoned those whom he had suspected of sympathising with their persecuted mistress, and in a position, by his vast social and political influence, and from the enormous funds at his disposal as manager of the bank, to intimidate and bribe off all whom she might profess her intention to summon in her own and her daughter's behalf. In consenting, as she had done, to obey the behests of the punchayet, on my assurance that justice should be done her, she gave what I regard as a most touching evidence of her confidence in British honour, in refusing to detail the evidence in her possession, and which she intended to adduce when the case came in appeal to the Residency. She displayed an accurate knowledge of the character of Baba Nafra; and, with pain I add it, she thereby saved her daughter. For that Baba Nafra would have intimidated or bribed all her witnesses, the conduct (both subsequently and prior) of that man can leave no doubt on any reasonable or candid mind. And if Captain French, dealing only in vague assertions of an alleged universal belief, succeeded in damning Joetabhaee's cause, both with the local Government and the Court of Directors, how hopeless would have been her case had every available witness in her behalf been bought over or intimidated, and a mass of depositions transmitted to Government, and placed on the records of the Residency, embracing those of her own relatives and personal friends. The dishonesty of the punchayet, in pretending that Larbaee's refusal to place her witnesses at the mercy of Baba Nafra interfered with the punchayet's proceedings being closed, is too obvious to require comment. She had given her statement, and she was ready to be confronted with any persons the punchayet might bring forward for that purpose; yet they confronted no one with her, but confined their efforts to seeking to unmask her store of evidence, with which they had nothing to do if she chose not to produce it in her daughter's behalf. They were at liberty to assume that her refusal to unfold the evidence she had to adduce was a proof that no such evidence

* Alluding to what I had previously stated, as to their refusal to allow her to employ a carkoon to take down her deposition.

† Referring, as the context shows, to Baroda.

evidence existed; they were at liberty to put any other construction on Larbaee's conduct which they could reconcile to their consciences, and to decide against her daughter's claims, but they were not at liberty to withhold a report of some sort or other on the evidence before them, and on the presumptions they might think derivable from Larbaee's silence. If they could have enabled Baba Nafra to make out a strong case, by intimidating or bribing Joitabae's witnesses, right gladly and willingly would they have closed their proceedings. This they could not effect; so the next best thing they could do for their friend was to proclaim their inability to close their proceedings, and thus prevent the case coming in appeal before the Resident. That the questions of the first punchayet were only a trap laid for her own and her daughter's ruin, a trap in which they knew they dared not to have attempted to entrap these ladies had I remained at Baroda, is sufficiently evident from the circumstance that the second punchayet, ignoring the evidence of every one connected with Joitabae, rejected the evidence of her other witnesses on frivolous pleas." *

142. The charge of seeming to think that I myself, not the Guicowar, was Larbaee's sovereign, is founded on the opinion expressed in the foregoing paras., that Larbaee, "in consenting, as she had done, to obey the behests of the punchayet, on my assurance that justice should be done to her, gave what I regard as a most touching evidence of her confidence in British honour."

143. In what respect the expression of such an opinion implies a claim to sovereign power or attributes I am utterly at a loss to perceive.

144. Larbaee knew that her daughter was entitled to British protection against injustice from her prince, or the courts acting under authority of her prince. She knew, and bitterly felt, that she and her daughter had in vain appealed to their prince for redress for a foul outrage. She knew, and she had stated in her petition, that the Court appointed by their prince to investigate the matter was composed of friends and confederates of her daughter's persecutor; and she refused to acknowledge such a tribunal. This she did on her own responsibility, as a Guicowar subject. The penalty attached to her refusal was, the withholding of that Report from the tribunal which alone would have enabled me to interfere in her behalf. But a still heavier calamity appeared to her likely to result from giving her evidence. She knew the wickedness of Baba Nafra and his confederates. She knew that her daughter's and her husband's former imprisonment, the abduction of her daughter's child, and her own flight to escape imprisonment, had been caused by the subornation of false evidence, and by the forging a bond said to have been given by her husband. She knew that the punchayet had refused her a carkoon to take down her *bona fide* deposition; that they had refused to allow any of her friends, except her imbecile husband, to be present when she gave her deposition, and she suspected the object of the punchayet was so to falsify her evidence as to enable them to convict herself of perjury, and her daughter of all that had been charged against her, with a view to secure to both of them a worse lot than had yet befallen them. And, sir, let the revelations made in my Report, especially in Part IV., show whether her suspicions were unreasonable.

145. Did it not, therefore, afford a very marked and touching evidence of her confidence in British honour, when this unhappy, unfriended woman, on all sides

* The dishonesty of the punchayets, and their desire to disgust Larbaee into contumacy, is further proved by the following facts established in my report:—

1. Their insisting that she should give her evidence with a publicity from which the other female witnesses were exempted.
2. Their refusal to her, while giving her evidence, of the services of a vakeel or carkoon to take a record of her real depositions.
3. The obstacles they threw in the way of her evidence being taken, after I had requested that it might be taken in the same manner as that in which the evidence of the other female witnesses had been taken.
4. Their reiteration, so soon as my back was turned, of their demand that Larbaee should give her evidence under those circumstances of publicity, from which the other females had been excused, and from which I had begged that she also might be excused.
5. The disgraceful falsification of evidence, and other scandalous proceedings, having for their object the interests of Baba Nafra, which, though Government have not seen fit to take notice of them, I have I think distinctly proved in Part IV. of my Report.

sides surrounded by danger, and driven almost to despair, accepting my assurances that justice should be done her, agreed to meet a peril she deemed so vast and so certain?

146. When you brought against me the charge I am now combating, you seem to have forgotten that the expression on which you have seized formed part of a retrospective view of the entire case, penned after I had, by months of arduous and unremitting toil, mastered its intricacies, and unravelled many of its distressing iniquities. You seem to have forgotten that, in your 28th para., you yourself say that the "machinations from which this lady (Larbaee's daughter, Joitabae) suffered challenge the best sympathy of Government," and that it was in reliance on my assurance to do my best to extricate her from the hostile machinations which challenge the best sympathy of Government, that Larbaee was induced to do that which but for such an assurance she would never have done. You seem to forget that, as her petitions show, she was then aware of the full extent and nature of the machinations which my report proves to have taken place. You seem to forget that, as her petitions show, she was well aware, that though I had promised to do her justice, she knew that Baba Nafra had an ally in my native agent, Nursoo Punt, whom I was heavily censured for having even suspected of being his ally. You seem to have forgotten all in reference to Nursoo Punt's alliance with Baba Nafra, which I proved in my "statement of facts," and subsequently amplified in my khutput report. You seem to have forgotten (a point not alluded to in your letter) the disgraceful transactions alluded to in Part IV. of my Report, which show that she was not wrong in regarding the Durbar as allied with Baba Nafra, inasmuch as no one in the slightest degree acquainted with Baroda can believe that these transactions could have been perpetrated, and (as I have shown was the case) all explanation of them withheld from me by the Durbar, in spite of my yads, had not that Durbar approved of and encouraged them. In further illustration of this point, I beg again to refer you to my letter of the 15th December, wherein I meet the startling declaration of Government, that I had never brought any definite charge against the head of the Durbar.

147. Having now noticed some of your accusations and assertions in respect to my own conduct, as put forth in your letter, either in direct terms, or by implication, I proceed to what I deem the most important part of this communication, and that to which the foregoing paras. have been merely introductory and auxiliary, viz., a respectful protest against the reasons assigned by Government for coming to the conclusion that it is doubtful whether Joitabae really was the mother of the child of which Baba Nafra deprived her.

148. In your 103d para. you thus express yourself: "The Right honourable the Governor in Council considers that the main question is, whether you have established that Joitabae Settanee did really bear a posthumous child to her husband, Bechur Samuldass, at the time and under the circumstances stated by her. There is evidence on this point both direct and indirect. The former is verbal, and is deposed to by her immediate relations, friends and dependents. The principal oral evidence to her confinement is her father Bhanabhaee, her mother Larbaee, her dependents Muncha and Gunga, the wet-nurse, and the connexion and friend of the family Maha Koer. The strongest oral testimony against her statement is that of the woman Punnee. If, as the medical committee and yourself have attempted to show, her evidence is worthless, it cannot be forgotten that the same motive (self-interest) which is supposed to have influenced her to persist consistently in her false statement, may have influenced the testimony of Joitabae's nearest relatives; and strict impartiality should therefore lead Government to regard such evidence with equal suspicion."

149. I say it with all respect, but I am nevertheless bound to say, that I perused this paragraph with profound astonishment.

150. I might take very fair exception to the mode in which you have characterized the whole of Joitabae's witnesses as her relatives or dependents; but I abstain from doing so.

151. I must, however, be excused for calling to your recollection that, as was well and clearly stated by the medical committee in their able report, all

the anterior probabilities were in favour of the supposition that a child which had for thirteen months after its birth been acknowledged and treated with distinction, as the posthumous child of Bechur Samuldass, was actually what it had been acknowledged to be.

152. The committee's summary of the case is so precise, accurate, and pregnant with the conclusion which they derive from it, that I beg to be permitted to quote it.

153. In the third para. of their report, they thus observe: "A lady by name of Joitabae, the wife of one of the leading bankers at Baroda, declared herself to be pregnant at, if not long prior to, the date of her husband's death. In about three-and-a-half months after that event she proclaims herself seized with the pains of incipient labour; and, in conformity with the general usage of ladies of her caste, she expresses her wish to remove from the house of her late husband to that of her father, that her accouchement may take place under the paternal roof. This wish is communicated to the elder widow of her late husband, and to the trustee of his affairs. The former raises no objection; and the latter makes the several arrangements required to give effect to the lady's wishes. She proceeds to her father's house, and is there attended by her mother, grandmother and cousins, by her mother's most intimate neighbours, and by a professional midwife—the precise attendants it was natural she should have on such an occasion. It is announced that she has been delivered of a male child, and no time is lost in making known the event. The lady receives the customary visits and presents of congratulation; and foremost among those who congratulate her are the trustee and confidential manager of her late husband's affairs, and her late husband's elder widow, whose own worldly position and prospects, as well as those of her son, suffer serious detriment from the advent of the newly-born infant. The usual social and religious observances attendant on the naming of a boy are sanctioned and graced by the presence, not only of the heads of the caste, but of the sovereign of the country. To the naming of the boy succeeds his betrothal to the infant daughter of a most respectable member of his caste. This ceremony is celebrated with some pomp, and with the usual concomitants of a caste dinner, at which all the leading members of the caste are present, and for the first fourteen months of his life the boy continues to be regarded by all ranks and classes of the community as the posthumous son of his respected parent, and as one of the heirs to his immense wealth.

"But the lady quarrels with the manager of her late husband's affairs; she brings against him distinct charges of fraud and misappropriation, and she petitions her sovereign to compel him to render him an account of stewardship. The manager is all-powerful at court. The lady's petition is unheeded; and speedily the steward seizes both the lady and her father, locks up the former in a dark and iron-barred room in the bank, imprisons the latter in his own house, places sentries over both of them, abducts the child, under plea that it is a spurious one, and hands it over to the guardianship of some Arab mercenaries, in whose hands it quickly dies. In justification of his proceedings, the steward asserts that the pregnancy of Joitabae, the reality of which he had at the time recognized, and her accouchement, for which he had himself made arrangements, were both fictitious. He avers, and brings forward divers witnesses in support of his averment, that the lady purchased a child from certain kholies of the village of Meetapoor, which she passed off as her own child; and that this child dying of small-pox, its place was supplied by another child purchased from other kholies residing in the village of Amleara.

"The lady and her mother appeal to the Bombay Government for protection and redress; but various circumstances arise, which for long prevent that body from interfering. At length revelations are made to the Resident, which induce him to request his Highness the Guicowar to bring the bank manager to trial on charges of conspiracy and child abduction. A native court of judicature is appointed to try him on these charges, and that court decides that the alleged purchase of a child from the Meetapoor kholies is a baseless fiction, the result of a foul conspiracy, originating in the bank manager's unprincipled avarice, and sustained by the foulest forgery and perjury.

"As the Amleara purchase was alleged to have been made simply to supply the vacancy caused by the death of the child purchased at Meetapoor, it would almost seem to follow, as a logical necessity, that the first alleged purchase being
a fiction,

a fiction, the second must be a fiction also; but another view of the matter is taken by the members of the native court of judicature, that body being of opinion that the pregnancy and delivery of Joitabae are not well established, hesitate to pronounce the alleged Amleara purchase a fiction.

"The case comes before the Resident in review, and by that officer the medical committee are charged with the determination of the medico-legal question, was or was not Joitabae Settanee delivered of a child on or about the 22d December 1845 ?

"The circumstances detailed in para. 3 afford a strong presumption in favour of her having been so delivered, and the *onus probandi* rests exclusively with those who deny that she was." * * *

154. As the committee have well observed (in the foregoing quotation by inference, and in their 31st para. in direct terms), the witnesses to a delivery must necessarily be few, and embrace only the midwife, the relatives, and the more intimate friends and neighbours of the lady. My report distinctly stated that the female witnesses examined by me in the presence of the Guicowar minister had been called before me without any previous intimation, and that their appearance and demeanor was such as not only to satisfy myself that they spoke the truth, but to elicit from the minister, who had hitherto affected to disbelieve the reality of Joitabae's confinement, and who subjected the woman to a very severe cross-examination, a declaration that henceforth his doubts were removed. The Government itself admits that their statements were consistent; yet, sir, you are directed to assure me that in strict impartiality Government are bound to consider their evidence as neutralized by the adverse testimony of the woman Punnee, who, by some oversight, you describe as having persisted consistently in her statement.

155. Her statements, as a perusal of them might have satisfied Government, and as I distinctly proved by an analysis of them, given as one of the Appendices of my Report, were so grossly inconsistent as to destroy their claims to acceptance; and what said the medical committee, consisting of army medical officers, to whose recorded declarations and opinions surely considerable weight is to be attached? In para. 24 of their report they say, "The discrepancies in the several depositions of Punnee, in possession of the Resident, together with the self-contradictions committed by her while under examination before themselves, and with her general conduct while under examination before themselves, as alluded to in Appendix II. have left on the minds of the committee that she is an untruthful woman, on whose assertions no reliance is to be placed."

156. In Appendix I., II. (A.), and II. (B.) of the medical committee's report, all of which, together with the report of which they are Appendixes, were placed in the hands of Government along with my own report (as its Appendix L.), it will be seen how grossly the witness Punnee conducted herself before the committee, and how discreditable was the style of her answers, gestures, tones, looks, &c., cannot be recorded; but those of Punnee were such that the committee assured me that they regarded with feelings of disgust.

157. Again, sir, the committee in their report, though they describe Punnee's evidence as not reliable, by no means ignore it. They show, by her own account, and by concurrent testimony, that she was not in a position to have been able to know many of the things to which she had deposed. They point out that by her own showing she was an incompetent judge of the signs of delivery, and of the characteristics of a new-born child, never having been a mother, and never, till Joitabae's delivery, having been present at a confinement; and they show that her evidence was not only inconsistent, but involved a gross absurdity. Thus, in their 26th para., they observe as follows: "Leaving out of consideration the general untrustworthiness of Punnee, as above adverted to, the committee would find sufficient to justify their rejection of that woman as an incompetent witness, on her own admission that she had never been a mother, and that till her attendance on Joitabae she had never in her life seen a newly-born infant; and when, in addition to this, they find her declaring that she was in constant attendance on Joitabae for 16 days after her alleged accouchement, that during that time she never saw the child fed nor suckled, and that she is unable to say in what manner it was nourished, the committee are convinced that no reliance is to be placed on her evidence."

158. Again, in para. XI. of their report, the committee had thus alluded to a deposition of Punnee, handed up to Government with, and alluded to in, my report, and which, as I showed in my report, had been suppressed by the Punchayet, as unsuited to the case which Baba Nafra wished at that time to make out: "At one time, indeed, it would almost seem, from a deposition in the hands of the Resident, which was suppressed by the native Court of Judicature, that the enemies of Joitabae contemplated disinheriting her son, on the plea of illegitimacy, rather than on the ground of his being a spurious child." And I think it does look strange, that the Punchayet, which was composed of Baba Nafra's friends, and which displayed such partisanship towards him, should have suppressed a document charging Joitabae with adultery, had they not feared that it might damage their friend's cause more than that of Joitabae.

159. Having concluded your 103d para., with saying that, in strict impartiality, Government should regard the evidence of all Joitabae's female witnesses with the same suspicion as that of Punnee, you proceed in your 104th para. simply to state that the evidence of these female witnesses "goes directly to prove, that Joitabae was confined of a son at her father's house three-and-a-half months after her husband's death, and that she suckled the child herself."

160. Permit me, sir, to observe, that it goes to prove that she did give suck to her child, but that the milk soon began to fail.

161. In your 105th para. you observe, that in India, "from the highest to the lowest, truth is regarded by the native, where opposed to his interests, as folly. False evidence in such a case is given or procured, not only with the most reckless disregard of justice, but with a circumstantiality and consistency which would frequently baffle the most experienced cross-examiner to expose." And in your next, or 106th para., you proceed to inform me, that but for this cause of distrust, the evidence adduced by Joitabae is strongly in favour of the truth of her story. And you add, "It appears consistent, and has satisfied the medical committee, that Joitabae has on some occasion given birth to a child. You were also satisfied of the truth of her statement."

162. Here, sir, I am constrained, painful as it is to do so, to observe, that your words convey a very erroneous version (arising, of course, from mere misapprehension of the meaning of their words), of the opinions and finding of the medical committee.

163. To the oral evidence the medical committee attached very little weight. They merely recorded it as adding to the preponderance of a set of arguments, which they deemed conclusive without it. That there may be no mistake about the matter, I quote their 29th para.: "The committee have now examined, seriatim, every argument which has been advanced, with a view to show that Joitabae did not give birth to the boy which she passed off as her own son. And they have found, that while not one of these arguments possesses any validity, some of them betray gross dishonesty on the part of those advancing them. These considerations, coupled with the anterior probabilities of the case, as enumerated in para. 3 of this report, and with the result of "Dr. Davey's examination of the Settanee's person, the committee regard as quite conclusive of the fact, that Joitabae Settanee was delivered of a son on or about the 22d December 1845. And when to this the committee add the direct evidence given before the Resident by those present at the accouchement, the committee think there is a case made out, which no medical jurist would for a moment hesitate to pronounce indisputable."

164. In order to preclude the possibility of another misapprehension being made, similar to that promulgated by you in your 106th para., I beg respectfully to submit, reduced to proportional form, the arguments aggregatively alluded to by the committee as being quite conclusive, not, as you represent, that Joitabae was delivered of a child "on some occasion," but that she was delivered of a child on or about the 22d December 1845.

I. An examination of Joitabae's person satisfied Dr. Davey that Joitabae had given birth to a full-grown child, and suckled it, some time or other, and up to the date of that examination it had never been alleged that either prior or subsequent to the 22d December 1845 Joitabae had borne a child.

II. At the date in question she was recognized as being parturient by those whose duty and interest it was to guard against any imposition. She was afterwards publicly announced as having given birth to a son. She was congratulated as ladies in her rank are wont to be congratulated on having given birth to this son. The naming of this son was performed according to the religious and social usages of her caste, and the festivities thereon were graced by the presence of the sovereign of the country. The child was afterwards betrothed, with some pomp, to the infant daughter of a respectable member of the caste, and the betrothal was celebrated by a caste dinner, at which all the leading members of the caste were present. For 13 months and upwards the boy was recognized by all ranks and classes of the community as the posthumous son of Joitabae's deceased husband. His authenticity was not questioned till after Joitabae had quarrelled with the manager of her late husband's bank, brought against him distinct charges of fraud and misappropriation, and petitioned her Sovereign to compel him to render an account of his stewardship. Her child's authenticity was then denied by this very manager, whom she had denounced, against whom she had petitioned, and who himself, until he had an obvious and strong motive to pursue a different course, had recognized her pregnancy and confinement as genuine. This man adopted a mode of procedure violently illegal; confined Joitabae (his mistress) in a dark and iron-barred room in her own bank, kept her father a prisoner in his house, and carrying off the child, placed it in the custody of Arab mercenaries, in whose hands it died.

III. Joitabae was charged with having purchased two children, which she successively passed off as her own, it being alleged that the first child died of small-pox, and the second child was procured to supply its place. The story of the first child was proved to be an utter fiction, the result of a disgraceful conspiracy got up by the bank manager with a view to revenge himself on Joitabae when she denounced him and petitioned against him; and it was a conspiracy carried through by forgery and the foulest subornation of perjury. As the first alleged purchase of a boy was proved to be a fiction, and as the second alleged purchase was simply said to have been made to supply the place of the boy first purchased, it seemed to follow as a logical necessity that the second alleged purchase must be a fiction also.

IV. The arguments adduced to prove that Joitabae was not pregnant at the date of her husband's death are all invalid, as physiological proofs of that which they were brought forward to establish. Some of them entered into by the committee were of a dishonest character, and thus calculated to create an unfavourable impression regarding the parties who advanced them: one of the witnesses adduced to disprove Joitabae's pregnancy, the elder widow, whose interest it was to deny it, and who had enjoyed opportunities of judging of its genuineness, declares that, though represented by the bank manager as doing so, she never doubted it, nor had cause to doubt it. Another witness adduced to disprove Joitabae's pregnancy (a native physician) not only contradicted himself in a marked manner, but, by his own showing, had not had the means of forming an accurate judgment. A third witness (Punnee) was pronounced by the committee to be an untruthful and untrustworthy witness, not only on account of the discrepancies in those of her depositions which were in my possession, but because her (recorded) evidence before the committee was full of contradictions, and because her manner, tone, looks, and gestures were all characteristic of a woman attempting to deceive; and, further, her evidence before the committee proved that she had not had the opportunities of judging of the reality of Joitabae's pregnancy, which in her depositions before the Punchayet she professed to have had.

V. The only evidence adduced to prove that Joitabae had not been delivered was the evidence of this woman Punnee, whose depositions before the committee satisfied them that she was not only an incredible but an incompetent witness.

165. It was only as an addition to these arguments, which collectively they deemed conclusive, that the committee threw in, as a further clincher, the direct testimony of those who were present at the birth of the child, and who afterwards saw Joitabae suckle it.

166. And in reference to the evidence of these witnesses, they observed in their 31st paragraph:

"The committee observe, that while the native court which tried Baba Nafrā treated as valid evidence the declarations of that individual (Punnee), they rejected as inadmissible the evidence of all who were in any way related to Joitabae. It is not for the committee to criticise the conduct of that court, but, as medical men, they would observe, that few witnesses are available in reference to a disputed delivery, save the relations and personal friends of the lady."

167. I have, sir, I think, satisfactorily shown that your 106th para. is calculated to convey to those to whom it is submitted a very erroneous, and, as regards Joitabae Settanee, a highly injurious idea of the opinions and finding of the medical committee.

168. In your 107th para. you proceed to enumerate the grounds on which Government express their opinion that "the question of Joitabae's real or pretended confinement is still a mystery."

169. These grounds I shall take up seriatim :—1st, I quote your own words : "Joitabae was married to Bechur Samuldass in the year 1839, in the month of Wysack (April or May); she must at that time have been at least 10 years of age, a period at which, or close upon which, the women of this country are commonly capable of bearing children. She is stated in her deposition, given before you on the 4th September 1850, to be then about 21 years of age [*see* (F.) 3,388]. Her first child was born, if born at all, on the 22d of December 1845, or six years and a half after marriage; and it is not pretended that she was ever previously *enceinte*. It is by no means an unusual occurrence for a woman to prove prolific after having been childless for a considerable period; still the chances are against a female who has been barren for several years following marriage, becoming fruitful, especially at a time when her husband's health would seem to have become seriously impaired."

170. You say "it is not pretended that she was previously *enceinte*," that is, previous to the pregnancy that is under discussion. In this, sir, you are mistaken. In one of her petitions to Government, if not in more than one, she distinctly alludes to an abortion she had had; and it was the intention of the medical committee to examine her touching this previous pregnancy; but, as they informed me at the time, the case appeared to them, taken in its totality, so far removed from all honest doubt and suspicion, that they did not deem it necessary to enter into further details; for, having already shocked the poor woman's feeling by making her submit to an examination against which the prejudices of her caste are intense, they wished to spare her all unnecessary pain and humiliation. Allow me also to express a doubt, and more than a doubt, as to whether it is at all customary for the women of this country to bear children at 10 years of age, or so close on 10 years of age as you imply. An impression, I believe, prevails to that effect; but I have been assured by many medical men who had inquired philosophically into the question, that grossly exaggerated views obtain as to the precocity of female functional development in this country. In reference to this very question I have heard a medical man quote the words of Dr. Gregory, that "there are more false facts than false theories in medicine." These "well-known facts" frequently turn out to be mere fictions, accepted as facts, because passed from mouth to mouth unquestioned as such.

171. But even conceding (which I by no means admit) that it is a fact, I have another fact to state to you: Joitabae is a woman of stunted growth, and feeble constitution, and these peculiarities would, I believe, be accepted by medical men as affording no inadequate explanation of the fact of a woman, even in India, not becoming pregnant till she was between 16 and 17 years of age, if explanation be really required, and if it be the case that Joitabae had not been previously *enceinte*, as she states she was.

172. Your second argument is, that it was Joitabae's direct interest to feign a pregnancy at the time she did, inasmuch as "To bear a child at that period was, in fact, to be rescued from loss of station, and from comparative obscurity. This strong and direct motive for getting up a spurious child lends strength to the consideration of the improbability of her becoming a mother, as just noticed, inasmuch as it affords reasonable foundation for strong suspicion."

173. I confess I cannot perceive that it affords anything more than a presumption which, in the event of the evidence *pro* and *con* being nicely balanced, should

should turn the scales against her ; but as the evidence appears to me to preponderate very decidedly in favour of Joitabae's claims, I cannot see the fairness of describing it as affording reasonable ground for suspicion.

174. Your third argument is thus stated : " This suspicion is still further increased by another extraordinary circumstance : Joitabae menstruated till within eight days of her husband's death. Government entirely set aside in the present consideration the verbal evidence of the witness Punnee, that she menstruated after that event, and that her mother cleansed her linen to conceal the circumstance. But the fact that she did menstruate until within eight days of the period of her husband's demise is admitted, and that her confinement occurred only three-and-a-half months after that event. The medical committee in their report have satisfactorily established that married women with child do occasionally menstruate until within a short period of their delivery ; still the fact is undeniably out of the general or usual course of nature ; and that if Government believe in her confinement, there are not one, but two natural probabilities to be overcome."

175. I think, sir, that the fact of Joitabae being one of those ladies who continue to have coloured discharges from the sexual organs up to an advanced state of pregnancy, is susceptible of being viewed in another light ; and that this other light is more consistent with the entire context of the case, as stated in my report, and as summarized by the medical committee in the long extract given in para. 151. It might, I think, be put thus : the anterior probabilities of the case are, according to the maxims laid down by English judges, strongly in favour of the authenticity of Joitabae's child ; that authenticity was first called in question by the one who had formerly maintained it, and by him it was not called in question until he had a direct and momentous interest in crushing Joitabae, and disinheriting her son. It has been seen that in his efforts to attain these objects he was guilty of a foul conspiracy, sustained by forgery and perjury ; and it is remarkable that by accident a document was dragged to light which would seem to show that the conspiracy he first contemplated differed essentially in its character from that which he finally concocted. The document in question purports to be a deposition made by Punnee, a woman whose after evidence proves her to be untrustworthy, and a creature of Baba Nafra's, and its evident tendency is to fix on Joitabae the charge of adultery. Now, considering the crimes that have been proved against Baba Nafra in relation to other matters, as well as in respect of Joitabae, it is neither unnatural or unjust to suppose that he may have originally contemplated disinheriting her son on the ground of illegitimacy ; but that, on second thoughts, availing himself of the convincing fact that Joitabae is one of those exceptional ladies who continue to have discharges up to a late period of pregnancy, he changed his tactics ; denied that she had ever been pregnant ; got his tool Punnee to support this view of the case, and fabricated the story of the two purchased children ; one of which having been proved to have been an unprincipled fiction, the other would seem of necessity to be a fiction also, even were there not other grounds for coming to that conclusion.

176. I can, sir, conceive an English judge dealing with Joitabae's discharges in this manner far more readily than I can conceive him taking the opposite view of the case.

177. Your fourth argument is as follows : " The general impression which is derived from the entire evidence on the subject, notwithstanding your arguments, is certainly that Bechur Samuldass had been in a poor state of health for a considerable period before his death, and the probabilities here, too, as before noticed, were against his having been the father of the child, said to have been born to him by Joitabae. The state of his health for some period antecedent to his death had not been ascertained with sufficient accuracy ; but it may be gathered from the evidence that he was seriously indisposed for a considerable period antecedent to his demise, though it was only latterly that symptoms of urgent danger were apparent."

178. This is one of those general propositions which it is difficult to meet ; the more so as, in referring to the general evidence, I presume you allude to the evidence brought before (or at all events recorded by) the Panchayet, a body of whose infamous proceedings, and tampering with evidence, though a very important point, and one illustrated at some length in my report, you take no notice

• Dr. Ogilvie,
Dr. Sanderson,
Dr. Davey.

from beginning to end of your long letter of 150 paras. But I would refer you to the opinion of the medical committee, three army medical officers,* of whose professional qualifications you will, I believe, receive a very favourable report from the Medical Board, if you deem fit to apply on the subject to that learned body. These three officers took extraordinary pains with Moteeram, the physician, the principal evidence adduced to prove the impotency of Beechur Samuldass; and though that individual did his best to deceive them, and support the evidence he had given before the Panchayet, yet what was their conclusion? I subjoin it.

179. In their 11th para., towards its close, they thus express themselves : “ But the committee deem it their duty to express their strong professional opinion that there was nothing in the physical condition of the late Bechur Samuldass to prevent him impregnating his wife nine months prior to the 23d December 1845; and this opinion they rest on the testimony of Moteeram, the witness adduced to prove the impotence of the said Bechur Samuldass; assuming the truth of that man’s statements, the committee cannot discover that till within one, or at the very most two months before his death, Bechur Samuldass laboured under any more serious ailments than irregular attacks of intermittent fever, accompanied by cloudy urine; and they believe that no physician, physiologist, or medical jurist, would consider such a state of health to be evidence of impotence, or even to render it highly probable.”

180. The fifth argument is thus stated by you : “ Joitabae was brought to bed in her father’s house. This has been shown to be customary; nevertheless it must be admitted that the practice furnishes great facility for that sort of imposition of which Joitabae is charged with having committed.”

181. This, sir, is a species of argument to which I cannot reply. I could furnish parallels to it; but I fear that if I did so, I should be accused of having recourse to ridicule, and such is very far from my intention or wish.

182. Your sixth argument stands thus :

“ There are no indications whatever in the course of evidence, that Beechur Samuldass was aware that his wife was in the family way : Joitabae states, that she informed him of the circumstance. She would, of course, say so; but the evidence is strongly against the supposition. The circumstantial account of placing Maha Luxmabae’s child, Purshotum, in her lap, with her husband’s consent, a short time before his demise, a fact which is considered by Government to be proved by the evidence, and which, notwithstanding her subsequent denial, or qualification of the statement, it seems that she did admit before the panchayet, remarking, that it was done ‘ to reconcile her,’ affords a strong presumption that the dying man was not aware of his wife’s condition.”

183. There is Larbhaee’s deposition that she had one or more conversations with Beechur Samuldass on the subject; but I presume Government reject her testimony also. I therefore address myself to your observations in reference to the act of placing the child of the elder wife on the knee of the younger.

184. These observations, I think, you will find inaccurately described by you. You will find that the child was placed by Beechur Samuldass on Joitabae’s lap a very few days after he signed the deed of the 4th of August 1845, that is nearly a month before his death, and above four-and-a-half months before Joitabae’s delivery : of this there is no doubt, I think. You will find further, that far from Joitabae ever denying her statements, she adduced it in one of her petitions.

185. Want of time prevents my hunting over the voluminous papers with the care requisite to prove the justice of these corrections; but it is immaterial. For all the medical committee observe, no valid objection could be raised to the authenticity of Joitabae’s child, even were it admitted that her husband were ignorant of or disbelieved her pregnancy.

186. In reference to the deed, the execution of which was alleged to be a proof that Beechur Samuldass was ignorant of his wife’s pregnancy, the committee thus observe :

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“ Were this document proved to be genuine,* and to have been obtained when Beechur Samuldass was in full possession of all his mental faculties, it would only demonstrate, that at the date of its execution he was not aware of the pregnancy of Joitabae. The deed in question bears date the 4th of August 1845, or 142 days prior to Joitabae’s alleged delivery ; assuming her to have been really delivered of a child, and that her pregnancy lasted for the full period of 280 days, she could only have been impregnated 130 days, or rather less than four months and a half, when the deed was executed. And it is quite within the range of possibility that a woman should be between her fourth and fifth month of pregnancy, and the circumstance be unknown to her husband, who had for a month been an invalid. The probabilities indeed would greatly preponderate on the other side, were it not for the fact, hereafter to be adverted to, that Joitabae is one of those ladies who continue to have monthly sanguineous discharges during their pregnancy. Regarding the nature of these discharges, different views have been promulgated, but their occurrence is well established. When they occur, neither the ladies themselves nor those around them can discriminate between them and scanty, ordinary menstrual discharges. * * * The occurrence of these discharges, as will hereafter be shown, is no proof that the lady presenting them is not pregnant ; but in popular estimation they are assumed to denote an unimpregnated condition, and the committee conceive that their occurrence in the person of Joitabae was calculated to impress her husband with the belief that in professing to be pregnant, she was deceiving herself, or attempting to deceive him, with a view to influence his testamentary arrangement. Holding this belief, the committee cannot perceive that any presumption against Joitabae’s pregnancy would be afforded even by the deed of the 4th August 1845, even were it proved to be a genuine document, and to have been obtained when Beechur Samuldass was in full possession of all his faculties.”

187. And in reference to the placing of the elder wife’s child on Joitabae’s lap, the committee observe, “ Even were the interpretation put on that act by Joitabae’s enemies undoubtedly true, it would at most imply the same ignorance of her pregnant state as is sought to be established by the deed above mentioned, and would therefore afford no presumption against the reality of her pregnancy. But the committee have been assured by those familiar with native life, that the interpretation put on the act of the banker adverted to, is, under the circumstances of the case, a forced and disingenuous one,” viz. that it symbolized his belief that Joitabae was not pregnant.

188. Surely, sir, if a presumption against Joitabae’s pregnancy is to be drawn from the fact of her menstruating till within eight days of her husband’s death, it is hardly fair to make his assumed ignorance, or disbelief, of her pregnancy afford another presumption against her. That were indeed to make it serve two purposes, against the already sufficiently hardly used widow.

189. Your 7th statement to the prejudice of Joitabae is thus made : “ Other unfavourable impressions are excited by the body of the evidence, tending to show that Joitabae first publicly made known her condition to her friends after her husband’s death.”

190. Why, sir, you have her own and her mother’s statements, and whom else could we expect as witnesses ? It seems to have entirely escaped your recollection that all the people of the bank who could have given evidence had been either bribed or intimidated by Baba Nafra to support his cause ; that my own investigations were almost exclusively confined to testing and unravelling the disingenuous proceedings of the punchayet ; and that I have in my Report endeavoured to establish Joitabae’s delivery by showing the disgraceful nature of the machinations had recourse to by those who denied it ; you seem to forget, that even had I secured 50 oral testimonies to the point under notice, they would have gone for nothing, according to the rule of impartiality enunciated in an
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* Strong grounds for suspecting the genuineness of this document are shown in the Appendix (C.) to my Report. Also *vide* para. 120, sect. II. of that Report.

early part of your letter. You seem to forget the history of the friendless, persecuted Joitabae, from 1847 to 1850. And even assuming that she had never communicated her condition publicly prior to her husband's death, you seem to forget that before you can with any show of fairness adduce this circumstance as a presumption against the reality of her pregnancy, you must erase from your list of presumptions against her the fact of her having had discharges. If in spite of the proofs now obtaining that she has been a mother, has suckled, has been the victim of forgery, and perjury, employed to prove that she was not a mother, you still lay emphasis on her menstruation, is it fair to assume that this menstruation did not render her pregnancy too doubtful at the beginning of her sixth month to justify her in braving the sly ridicule of the bank people?

191. Your 8th presumption against Joitabae is thus stated: "Another strong and unfavourable feature in this case is the course which it is asserted was taken by the caste, in deciding that Joitabae's child was the son of a kholie, and turning her father and mother out of caste in consequence. A great deal has been said by you of Baba Nafra's influence, of the conspiracy by which he endeavoured to persuade the Veesa Land Banian caste that Joitabae had defiled her own family, and therefore all who had come in contact with them, by introducing a kholie child into the house. But Government question whether any influence, however strong, of an individual not of the caste, or any intrigue of Baba Nafra's, such as sending the Meitapoor kolees into the city, and the production of Bhanabhae's reputed bond, would have induced a caste so powerful and wealthy as the Veesa Land to have received the story of Joitabae's guilt without examination. They would not at once have condemned and excommunicated the widow of their principal family, as it would appear that they did, the child being the heir to immense wealth, and betrothed to the daughter of Gopallrow Myral, one of their most influential men, one of Baba Nafra's judges, unless strong and general suspicions of fraud had been pre-existent in their minds, and that on the charge having been preferred, they had disbelieved in Joitabae's having been a mother."

192. Whatever doubts Government may entertain, surely the caste are the best judges of a matter of fact relating to themselves; and they admit that they were deceived; nor can we wonder that they should have been so. Great scandal is created by the sudden irruption into the city of kohlies, demanding that Joitabae's father should either pay the sum he had promised to pay for the boy or return him to its parents. A bond bearing his forged signature is exhibited, and industriously talked of. The depositions of the impostor kholees are gravely taken down by Baba Nafra. In confirmation of the story, the menstruations of Joitabae are adduced and proclaimed in the Bazar, as proving that she could not have been pregnant at the death of her husband. Could any chain of evidence be more complete and satisfactory? Was not a strong case furnished against Joitabae? Did it not seem that she, the younger widow of the wealthy banker, had, with the view to defraud his elder widow and her unquestioned son, introduced a low caste kholie into the family? Can it be wondered at that the caste generally should have viewed such conduct as justifying excommunication?

193. I find I was wrong in saying that the introduction into family of a lower caste infant at the breast was a defilement to all who came in contact with it. But the seemingly proved attempt to defraud the elder widow and son of their just inheritance, and to rear in the family a low caste child, according to all caste rules, put its perpetrators and abettors out of caste.

194. Government, you say, cannot believe that Baba Nafra wielded in Baroda the enormous influence I have attributed to him; I am sorry for it. You, sir, could inform them that even in your day his influence was little less than I have described it. And the doubt of Government, if still retained, will, I take the liberty to predict, lead to mischievous results. For Baba Nafra is now, though for form's sake kept in prison, beginning to re-enact his former influence; and unless the Court of Directors take a very different view of Joitabae's case from that propounded by the Bombay Government, evil days and further injustice are yet in store for her and others.

195. I have had occasion to point out many inaccuracies in your letter, arising perhaps in some degree from the clerical imperfections of my reports. Allow me

me to point out another. With a view to strengthen the presumption against Joitabae, now under notice, you talk of her son having been betrothed to Gopalrow Myral, one of the most influential men in the caste, and one of Baba Nafra's judges; and from this you infer that suspicions against Joitabae must have pre-existed, else the caste had not so summarily acted on the evidence before them.

196. It is a mistake. Joitabae's son was betrothed to the infant daughter, not of Gopalrow Myral, but of one of his goomastas. And Government are well aware that Gopalrow Myral, though one of the wealthiest men in the caste, is one who is the ally and confederate of Baba Nafra, and a man who has been denounced by the Bombay Government. Government is fully aware that he was mixed up with Baba Nafra in the wholesale attempt to bribe Sir James Carnac's Government. And they were very recently made aware that when called before Mr. Commissioner Frere, as witness in the case in which Nursoo Punt was tried for aiding and abetting Baba Nafra in this very Joitabae's business, he refused to give evidence, treated the court with marked and gratuitous disrespect; and by his conduct, compelled me (under Mr. Frere's direction and sanction) to make a representation to the Guicowar, and an appeal to his Lordship in Council, for countenance and support.

197. Your ninth presumption against Joitabae is simply an iteration in other words of a former one; you say, "In the usual course of things, it is not probable that two or three interested parties only should have been aware, by ocular observation, of such a fact as that a lady in Joitabae's position had been *enceinte*, had borne a child, and nursed it. Such a circumstance should have been placed by the evidence beyond a doubt. Numbers of the women of the caste should have been able to depose from personal knowledge to the truth of the story. The wife of such a man as Beechur Samul must, it is presumed, have been regularly visited by all her respectable fellow-caste women."

198. Again, sir, I have to observe, that you utterly ignore the whole history of the case. You ignore the fact, that at an early stage of the case, Baba Nafra had dismissed and imprisoned all whom he suspected of sympathizing with Joitabae. You ignore the fact, that during the sitting of the first punchayet, he had been the untrammelled master of his own wealth as well as the enormous wealth of the bank, and that he was high and powerful, his wrath to be greatly dreaded, and his favour to be much desired; while Joitabae was a stricken, helpless, degraded, penniless outcast, dependent for subsistence on her affronted and condemned parents. You forget that during the 19 months of my absence Baba Nafra had been hard at work, getting those of the leading men who visited at the Residency to impress Captain French with the belief that Joitabae was an arrant impostor, who had never been pregnant. You forget, that during the same period the Durbar had been displaying a strong partizanship towards Baba Nafra. You forget, that up to the conclusion of the proceedings of the second punchayet, appointed after my return, not only had that body, but the Durbar likewise, displayed the same feeling of partizanship; and influenced by it, had recourse to the most discreditable courses, having for their object Baba Nafra's vindication, so far as it was possible to vindicate him. And forgetting all this, you express your wonder that the persecuted Joitabae should not have been able to adduce as witnesses a multitude of respectable caste-women. As it was, she produced witnesses, who, because they are her friends, it is hardly fair to say, are interested. She was asked whom she could produce; she named certain parties; they were sent for on the moment, and not only were they examined by myself, but subjected by the minister who was present to a most severe cross-examination. All this was stated in my Report. That she might have produced a few more witnesses, had they been demanded, is possible enough; but to myself no more seemed necessary.

199. Your 10th presumption is: "It is only on the supposition that her conduct as a young mother had induced suspicions that his Lordship in Council can account for this sudden condemnation, which there is enough on the record to impress Government with the belief was the consequence of Baba Nafra's accusation."

200. The words which I have underlined are underlined by yourself in the original, and I have no idea of what they refer to. But whatever be their

meaning, I have only to repeat, as has been stated in my 190th para., that it would have been difficult for the caste to withstand the evidence which Baba Nafra had taken care should be put in their way; the more especially as he had at the same time taken effectual means to preclude the injured parties making a defence; for, as my Report shows, he had taken advantage of the first outburst of popular feeling to lock up Joitabae, place her father in custody, send off her child, and make search for her mother.

201. You then proceed to notice "an instance of forced construction, often put by me on evidence," to which I do not deem it necessary to reply; and after that, you take up what you consider a specimen of false reasoning.

202. Having done so, you proceed "to notice some of the most weighty arguments in Joitabae's favour;" and the result of the notice is to indicate that after all they are not so very weighty; * you thus state, "The fact of Joitabae having borne a child has been established by the evidence of Dr. Davey, but that gentleman, in reply to a call from Government for information on the point, has stated that whether the event took place one year or five years before he examined her, or indeed within any particular period since she became marriageable, it is impossible from the indications noticed to assert."

203. Certainly it is, and surely it did not require Dr. Davey's formal assertion to this effect to satisfy Government that when the signs of immediate delivery have passed away it is impossible to say, from a mere examination of a woman's body, at what date confinement may have taken place. At the date of his examination Dr. Davey stated that the skin of the abdomen proved her to have given birth to a full-grown child, and that the appearance of her breasts proved that she had given suck. He observed that this established that she had at one time been a mother, and that, as in all medico-legal inquiries, the date at which she had become a mother must be settled by circumstantial evidence. At the date of the examination no one had ever hinted that, at any period prior or subsequent to the 22d December 1845, had she borne a child. For upwards of a year had she been acknowledged to have given birth to a child at that date; the fact was only questioned after it became of vital importance to Baba Nafra to deny it. Not only was he a man of notoriously bad character, and for many years known to Government as such, but in respect of this very denial of Joitabae's maternity he had been convicted of a disgraceful conspiracy; and the evidence of a physiological and otherwise nature which he had adduced in support of his denial, the committee threw aside, not only as unsatisfactory, but in many respects dishonest. With all this (and more) circumstantial evidence before them, Dr. Davey and his brother committeemen had no hesitation in finding that the child of which Joitabae had been delivered was born on or about the 22d December 1845.

204. You indeed say, "Nor is it even fair to assume, from anything on record, that she could have borne a child since her husband's death, except at the time stated, without her condition becoming known." But you immediately add, "Still Government are so little informed of her private history since her marriage, and between that event and her husband's death, that the fact stated by Dr.

* Though want of time, and a multitude of pressing matters, put it out of my power to notice all the arguments and assumptions enunciated and implied to the prejudice of Joitabae, I cannot, in justice to another maligned and persecuted individual, Venask Moreshwur Fudkey, but recall to your attention, and thus call the attention of the Honourable the Court, to the hurried reply I had the honour, on the 7th ultimo, to make to one of those erroneous assumptions regarding this person, which I lost no time in correcting, lest it might tend to his injury at a time when matters of vital interest to him were under the consideration of Government. I allude to his having been designated in your 124th para. as my "approved assistant in detecting the frauds and intrigues going on at Baroda."

Nor perhaps, in justice to myself, ought I to omit to record my remarks in the same letter on the introductory expressions used by you in your 27th para., which would almost seem to imply that Government did not cordially approve of my efforts to unmask villany: "Fortunately, as you (me) may consider it, the guilt of Baba Nafra is too clearly established," &c.

To avoid, however, giving increased bulk to this letter, by here reproducing my observations on these two points, I confine myself to this reference to my letter dated 7 December 1851, and beg that a copy thereof may accompany this communication when transmitted to the Honourable the Court of Directors.

Dr. Davey cannot be considered to be conclusive as to the truth of her having borne a child to Bechur Samuldass."

205. Is it, sir, that you mean to imply that she may have been surreptitiously delivered of a child during her husband's lifetime? If so, what becomes of one of your former presumptions against Joitabae, to the effect that it was not even pretended she had been *enceinte* prior to the disputed pregnancy? Why, sir, should she have been surreptitiously delivered? and can you or any one having the faintest knowledge of Indian life and family arrangements really believe that it is possible for the wife of such a man as the late Bechur Samul, living with him and another wife, to go through a nine months' pregnancy, be delivered, and suckle a child, without the fact transpiring. And Dr. Davey declared after his examination, that Joitabae bore unmistakeable traces of having given birth to a full-sized child, and of having suckled it.

206. Up to the date of the examination no one had ever hinted that Joitabae had borne a child either prior or subsequent to December 1845. Except during the few months she was in Bombay in 1849-50, in poverty, ill-health, and distress, vainly importuning the Government, it was notorious in Baroda that she could not have had a child. She was too closely watched. But soon after it became known that Dr. Davey had given her a certificate, intelligence was brought, not only to myself, but to my guest, Mr. Grant (of the Suder Adalut), that Baba Nafra's friends were making arrangements to suborn evidence to prove that she had been delivered of a child at Bombay. When the committee heard of this, they drew up a paragraph with a view to meet so infamous a conspiracy, but expunged it, because, as they themselves told me at the time, they felt satisfied that neither Government nor any future Resident would listen to such a representation, after the frightful disclosures that had been made of forgery, perjury, falsification of evidence, &c. &c. indulged in with a view to ruin Joitabae.

207. But I am much mistaken if, ere many months elapse, the paragraph of your letter under notice, together with its general scope, do not become known to the Nafra gang, and lead to further conspiracies against Joitabae; for they have a long balance of revenge to settle with her. Such being the case, I deem it my duty to state one reason which the committee regarded as conclusive against Joitabae's having been recently confined. Her mother opposed the examination of her daughter's person on several grounds, and amongst others, that, besides being indelicate, it would be useless, inasmuch as the five years that had elapsed must have effaced all signs of her maternity. If Joitabae had been confined in Bombay, her delivery must have been pretty recent; and, on the assumption of her being an impostor, her mother would have been only too glad to have her examined.

208. The other "weighty arguments in favour of Joitabae's statement," you notice in a manner calculated to weaken, if not destroy, their weight. But I deem it unnecessary to follow you in this portion of your letter; there are, however, one or two points I cannot pass over in silence.

209. Thus the punchayet based an argument against Joitabae's pregnancy on the fact that the ceremonies performed at the fifth and seventh months of pregnancy were not performed in her case. Both the medical committee and myself pointed out the gross dishonesty of such an argument, ignoring as it did what was of course, and necessarily, well known to the punchayet, and you inform me that I have satisfactorily disposed of the argument.

210. But you do not notice that this verdict *de facto* convicts the punchayet of dishonesty, that punchayet to whose recorded evidence you so constantly refer, but whose disgraceful tampering with evidence, with a view to promote the interests of Baba Nafra, and prejudice those of Joitabae, you never once allude to from the beginning to the end of your elaborate letter.

211. I have not the time requisite for entering into a notice of the remainder of your letter; but after what I have shown of the misapprehensions under which that letter seems to have been penned, I leave my original Report to stand for itself, in support of my allegations that the story of the second purchase stands revealed as gross a fiction as its predecessor. And coupled with my Khutput Report, with my letter to your address of the 15th December, and

with this communication, it will, I believe, carry conviction to the minds of my honourable masters.

212. For the preparation of your letter there were the eight or nine months intervening between the receipt by Government of my Report and the dispatch of your reply, and there was all the talent, legal and secretariat, at the disposal of Government. If, therefore, in my rejoinder, penned amidst a pressure of work, official and private, and in the few weeks intervening between the 5th of December and the 12th of January, I have failed to answer your communication so fully and so precisely as I could wish; with unassailable logic, with assertions beyond canvass, and with perfect immunity from trifling errors, the circumstances under which I have written must be my excuse.

213. To make a rejoinder I deemed a sacred duty: it was due to myself, it was due to that Government which I have so long done my best to serve, and it was emphatically due to Joitabae. Many questions connected with her rights may and will yet arise. Her enemies have achieved a great triumph. The Baba Nafra gang will soon be at work. No longer subject to British control or question, that individual will contrive to have his schemes carried out with increased vigour. The conspiracies which I have long predicted will ere long be set in action; bribery will renew its work, intimidation will aid it; perjuries, forgeries, and the other modes of procedure approved of at Baroda, will multiply and extend. To guard Government against their dishonest artifices was the main object of my Report. That Report has been misunderstood, its arguments misapprehended, many of its revelations ignored; and in laying before my Government and the Court of Directors this last appeal, I feel that while I am only doing my duty, I am at the same time doing my duty to the utmost.

214. I have the honour to request that this letter may be forwarded to the Honourable Court of Directors, along with the Joitabae Report, and the Government letter founded thereon.

215. Should these documents have already gone home, I have to request that his Lordship in Council will, as the last act of consideration it will ever be in my power to ask at his hands, cause a copy of this letter to be sent to the Honourable Court by a very early opportunity, or that he will authorise me to deliver a copy of it to the secretary at the India House; for I am particularly anxious that it should be read while yet your letter is fresh in the memory of the Court, and before their despatch on the subject is written.

216. In justice to Joitabae Settanee, I am bound to request also that a copy of this communication may be furnished to my successor as Resident at Baroda.

I have, &c.
(signed) J. Outram, Lieut.-col.,
Resident.

Bombay,
12 January 1852.

Postscript.—Since the foregoing remarks were placed in the copyist's hands, I have received from Mr. Battye copy of your letter to his address, under date the 2d of January, No. 7 of 1852, in reply to my letter of the 11th November 1851; and the contents of your letter of the 2d January, coupled with the general tone of your letter of the 1st December, now under reply, will, I feel assured, hasten the injury of the banking house generally, and of Joitabae in particular, which I have ventured to predict in the present communication. To justify these remarks, I take the liberty of reproducing my letter of the 11th November:—

“ Para. 1. I thus stated, at the conclusion of my Report on the case of Joitabae Settanee, dated 31st March last: ‘ In drawing to a close the most arduous, the most humiliating, and the most painful task I have had to perform during the 32 years I have had the honour to serve the Honourable East India Company, by requesting that the sentence passed on Baba Nafra by his Highness may be confirmed, I have only to beg that I be instructed to see that effectual measures are adopted to cause the delinquent to make good the large sums which, it will be seen from my separate Report, about to be submitted, he has embezzled from the firm, together with the value, as well of the jewels which it may hereafter be ascertained have disappeared under his stewardship, as those which he obtained on loan from Joitabae Settanee, and neglected to return.’

" 2. I now proceed to detail the measures by which I have endeavoured to ascertain the amount of embezzlement and defalcations for which Baba Nafra is justly answerable, and to explain the causes which have so long delayed my promised Report.

" 3. On the 31st December last, I called for the decision of the Durbar in regard to the 'Seetee Khata' (blank), and other items suspiciously entered in the books of the Hurree Bhugtee firm during Baba Nafra's management, brought to light during the investigation at the Residency, amounting in the aggregate to 3,87,001 rupees, and such other entries as might be questioned by the proprietresses of the firm, the Settanees Luxumabae and Joitabae.

" 4. On the 23d January following, I received a yad from his Highness, forwarding the report* of the Durbar officer appointed to test the explanation† by Baba Nafra, under date the 4th October previous, with the reply of the Settanees' Kamdars, dated 19th January. ‡

*App. (A.), No. 1.

†App. (A.), No. 2.

‡App. (A.), No. 3.

" 5. It is stated in his Highness's yad, that when questioned by the Durbar, in consequence of the exposure by the firm of the dishonesty of his attempted explanation, Baba Nafra refuses to give proper answers; and as he is already in confinement, he cannot be further punished; and, moreover, that he (the Baba) refused to give up the keys of the treasuries, which he had secreted since the day of his arrest.

" 6. From these documents it will be seen, that the whole amount of disputed items is Rs. 4,49,289. 8, of which the firm admits only Rs. 44,245. 3. 3, leaving a balance of Rs. 3,74,407. 8. to be accounted for by Baba Nafra; besides Rs. 30,636. 3. 9. entered in the books of his son's firm (Narain Runchore), for which no warrant has been produced; total to be accounted for by Baba Nafra, Rs. 4,05,043. 11. 9. It still remained to ascertain the state of the treasuries of the firm, which had been sealed up since Baba Nafra's arrest; and in accordance with the sanction of Government, conveyed in Mr. Secretary Goldsmid's letter, dated 19th of March last, No. 1,186, I called upon his Highness to assemble a committee for that purpose, which commenced its proceedings on the 25th of that month, and completed its examination of the small (or current) treasury on the 18th April, when a copy of its daily proceedings, with lists of the jewels and property found therein, was furnished to me. The great (or main) treasury remains untouched, in deference to Sowcarry prejudice, which could only admit of its inspection, under the most extreme circumstances, and being deemed unnecessary, as it does not appear to have been opened since the death of Samul Bechur the late Shett.

Rs. 4,05,043. 11. 9.

" 7. The proceedings of the committee being very voluminous, I have not thought necessary to burden Government with a translation thereof. It may suffice to state, that the entire value of jewels and property is roughly estimated at three laks of rupees, and that no record was found of what the treasury contained at the time of the Shett's death, or of what had been introduced or abstracted from that date during the interval of Baba Nafra's management.

" 8. Such a record is always kept in every Sowcar treasury, and such was kept by the late Shett up to the day of his death, in which he entered everything with his own hand, and which was always deposited in the treasury. But the committee failed in finding any trace of it, neither was any account of receipts and expenditure during the incumbency of Baba Nafra to be found. This circumstance alone would stamp his dishonesty, even without the startling revelation that the current treasury of the most wealthy firm in Baroda contained only three laks, which popular belief, and the monetary transactions of so extensive a banking establishment warrants that belief, estimated at 10 times that amount.

" 9. In my Report on the Joitabae case, para. 120, section II., and its Appendix (C.), I have already remarked on the very suspicious circumstances under which the unattested will was obtained, under which Baba Nafra assumed to himself the sole control of the firm, and on the further suspicious circumstance of his dismissing three of the four most confidential goomashtas of the firm, who the elder Settanee declares were associated with Baba Nafra in the care of the firm by her late husband on his death-bed, (*vide* Appendix (D.)); and the testimony of those persons, as well as of the fourth party who was thus associated with

App. (D.), No. 1.

App. Nos. 2, 3, 4,

and 5.

Baba Nafra, proves that a memorandum of receipts and disbursements was kept by the late Shett, and always deposited by him in the treasury, and that Baba Nafra permitted no one but himself to have access to the treasury.

"10. It was therefore intimated to Baba Nafra, that unless he produced the missing account, deposited in the treasury by his master, and irrefragable proofs of the receipts and expenditure since he himself assumed charge of the treasury, he would be held responsible for whatever sum the committee should, on further inquiry, estimate to be the probable amount of what ought to have been in the treasury. On Baba Nafra refusing to produce the required documents, I requested his Highness to instruct the committee to frame, to the best of their ability, from the examination of the old goomashtas of the firm, and from their knowledge of the deposits usual in the current treasury of a bank of the importance and position held by the Hurree Bhugtee firm, a proximate estimate of the value, in jewels and specie, which, in their opinion, ought to be forthcoming.

Appendix (E.)

"11. Much delay ensued in consequence of that committee requiring the presence of an old confidential goomashta of the firm who was absent at Vishnagar, for whose non-attendance, until lately, various excuses were assigned, and it was only on the 4th instant that I received a yad from the Durbar, enclosing their Report, which, however, though giving an estimate of the property in jewels and other valuables that ought to have been in the treasury, made no mention of the cash required for carrying on the extensive concerns of the bank. Neither had any estimated value been given of the jewels, &c., found in the treasury, of which lists had been furnished with their first Report. Further references were consequently required, and thus has my Report been so long delayed.

"12. The estimates arrived at by the committee will be found in Appendix (E.), giving the amount of jewels and other valuables that ought to be forthcoming at 10 or 12 laks of rupees, and specie at six or seven laks of rupees. Taking the lowest of these estimates, the following calculation gives the total amount of defalcation at - - - - - Rs. 17,05,043 11 9

					Rs.	a.	p.
That is,							
Jewels, &c.	-	-	-	-	10,00,000	-	-
Specie	-	-	-	-	6,00,000	-	-
Fraudulent entries, &c., in the books					4,05,043	11	9
					20,05,043	11	9
Deduct,							
Value of property in hand	-	-			3,00,000	-	-
Total defalcation					-	-	-
					Rs.	17,05,043	11 9

"13. No reliance can, of course, be placed on these estimates, which I believe to be much below the real amount of loss sustained by the widows of the late Samul Bechur, through the wholesale robbery practised by Baba Nafra, the majority of the committee being the Baba's friends. He possessed but little property, it is supposed, during the lifetime of his late master, since whose death he had established two independent banks, under two of his sons, whose trading capital could only have been dishonestly supplied from the Hurry Bhugtee firm. He is supposed to have remitted enormous wealth into the Company's territory, and he is known to have furnished large sums to his creatures in Bombay, besides what he expended in bribery at Baroda, with a view to counteract the late and former inquiries, and, since his conviction, to obtain the interference of Government in his behalf.

"14. If the defalcation is over-estimated, it is in Baba Nafra's power to prove the fact, by producing his own and his master's accounts. In failure of his doing this, I would respectfully submit to Government the propriety and justice of authorising me to suggest to his Highness that Baba Nafra be required to make good the amount charged against him; and that his property, and that of his sons' subordinate banks, be sequestrated with that view, wherever it may be found. But their property has doubtless long since been removed

removed from the Guicowar territory. That in failure of the defalcation being made good, therefore, the two sons of Baba Nafra, who traded on the Hurry Bhugtee funds, be likewise imprisoned as debtors to the firm, and that Baba Nafra be informed, that when the term of his present sentence expires, he will be transferred to the debtors' gaol, to continue in confinement until the claims against him are liquidated.

"15. With respect to Joitabae's claims against Baba Nafra, for jewels borrowed, which he neglected to return, it will be seen in Appendix (G.) that Joitabae Settanee having no proof to adduce, the claim has been dropped.

"16. During the period of about three years that Joitabae and her parents were subjected to persecution, she repeatedly represented her impoverished state, and besought, in vain, the Resident to provide the means of subsistence from the funds of the bank of which she was joint mistress. Not one rupee did she obtain therefrom. And the debts which she then incurred remain unpaid to this day. On this subject she addressed a petition to me on the 20th March last (copy of which I subjoin), to which I replied, that on furnishing the details of her debts, the claim would be considered. This, however, she has never done; averse probably to naming the parties who supported and assisted her, pending the confirmation of Baba Nafra's sentence by Government, lest they should incur the enmity of his friends, while their belief in his influence at the Residency remains unchecked."

Appendix (H.)

2. Your reply of the 2d January is as follows: "I am directed by the Right honourable the Governor in Council to acknowledge the receipt of Lieutenant-colonel Outram's letter, No. 107, dated the 11th of November last, with its enclosures, on the subject of the treasury of the firm of Hurree Bhugtee of Baroda, and to state, that although it seems highly probable that Baba Nafra has acted unfaithfully to the firm, in his capacity of managing goomashta, yet the guarantee, not requiring Government to interfere in the mode of conducting the affairs of the firm, or of punishing its fraudulent servants, those matters must be left to the jurisdiction of the constituted authorities of the country, whose functions, when justly exercised, neither the British Government, nor its representative at the Baroda Court, has any power or right to supersede.

"2d. Joitabae Settanee having been restored, as far as possible, to her position as a member of a family possessing the British guarantee, may now be left to take such steps as, in accordance with the usage at Baroda, would, under similar circumstances, be taken by a non-guaranteed party.

"3d. If, however, as would appear to be the case from the last para. of Colonel Outram's letter, this lady suffers from non-payment of pecuniary claims, I am to request that you will move his Highness the Guicowar to require from the firm the payment to her of any shares, or allowances, to which her position may have entitled her, from the date of the death of her husband."

3. Considering, sir, what I have shown to be the partizanship displayed by the Durbar towards Baba Nafra; considering the Baba's connexion with Nursoo Punt, and that individual's position in respect of Bhow Tambekur (the minister), as revealed in my Khutput report; considering the entire policy of Government in respect of these three worthies; considering the protracted, deep, and unmerited wrong sustained by Joitabae, notwithstanding her possession of our guarantee; considering the manner in which Government have not only not answered, but have ignored, the machinations of the punchayet, as disclosed in Part IV. of my Joitabae report; considering the many palliative remarks they have directed you to offer, in respect of my denunciations of Baba Nafra; considering the unfavourable nature of the criticism they have instructed you to indulge in, in respect of the claim of Joitabae, to have borne a posthumous child to Bechur Samuldass; considering that the dismissal of myself, apparently Joitabae's only earnest supporter, took place just as I was making very important revelations, calculated to damage the minister, who had allied himself with Baba Nafra and Nursoo Punt; considering all this, I deem it my duty to leave on record this respectful protest against what I regard as the first step (of course, undesigned by Government) towards upsetting all my measures, and the ruin of Joitabae Settanee. It requires no prophet's inspiration to foresee the result, and when that result arrives, it will, at all events, afford me consolation

lation to think that I have raised my voice in warning, ineffectual as that warning may be. I have now to add, that at this moment the sentence against Baba Nafra is almost remitted. His irons have been removed, and though they are kept ready to be applied, in the event of any one from the Residency being sent to him, they will soon be openly removed.* That subornation of perjury will soon provide the minister with an excuse for altogether emancipating a criminal over whom Government have now distinctly stated that they neither have, nor wish, to exercise any restrictive functions.

4. Thus freed, as Baba Nafra now is, from the control of the British Government, the declaration of that body, that the widows of Samul Bechur must rely, for the restitution of the property of which he has defrauded them, on the adjudication of a Durbar, which there is so much reason to believe had already largely shared in their spoliation; and leaving, as it does, in their dishonest steward's hands the means, while it supplies the incentive for the exercise, without check or hindrance, of further corruption, the effect of this decision can only be to confirm the dishonouring impression, referred to in my 21st para., that Baba Nafra does possess some "mysterious influence in Bombay." For they most certainly will attribute the refusal of Government, now, to interpose their authority to cause restitution of the property of parties entitled to British protection, to apprehension, that were they to enforce the just alternative suggested by me, Baba Nafra would be driven to make disclosures which, I have more than once reported to Government, he had proffered to make, but under conditions which I could not accede to.

(signed) *J. Outram*, Resident.

(True copy.)

Chief Secretary.

— No. 8. —

MINUTE by the Right Honourable the Governor.

No. 1,468.

1. COLONEL OUTRAM has thought proper to reply at length to the observations which we addressed to him on the case of Joitabae Setanee.

2. This reply is apparently directed to two objects; to exonerate himself from the censures which were elicited by his former communication, and to dispel the doubts which we have been compelled by duty to place on record of the character of the evidence adduced by him in the Setanee's favour.

3. If my present comments should seem to be extended beyond what may be deemed necessary, on the part of a Government whose decision is questioned by its servant, it is from a natural wish that there should be no appearance of want of consideration towards this officer, or of indifference to anything he may still have to urge, in demonstration of the fact that Joitabae Setanee unquestionably bore a son to her husband, Buchur Samul.

4. Such passages in the present letter as simply controvert the correctness of our former conclusions, without adducing fresh matter in support of Colonel Outram's, I shall deem it my duty, when noticing them at all, to notice very briefly.

5. I now turn at once to the first portion of the subject, Colonel Outram's attempt to exonerate himself from the charge of disrespect. The Honourable Court must determine whether the tone of his remarks merit, what he is pleased to term, the heavy censures with which they were visited.

6. In the 5th and following paras. Colonel Outram questions the justice of our remark, that the direct and avowed object of his former report was to induce us to confirm the sentence passed on Baba Nafra.

7. Referred

* Extract from a letter from Mr. Battye, dated 6th January 1852:—"I learn from good authority that Baba Nafra's irons have been removed, and that he has been supplied with lighter ones to slip on, at a moment's notice, in the event of my sending anybody to ascertain the fact. The belief is, that directly you are away from Bombay he will be set at liberty."

7. Referred as a question for our judicial decision, the direct object of the report was unquestionably what we have stated it to be. Colonel Outram appears to confuse the direct object with its consequence; the considerations to which he refers were to be attained as the indirect consequences of Baba Nafra's punishment; and the object is avowed in the 11th para. of the first portion of his report.

8. But Colonel Outram, as we have told him, took (in our opinion) an entirely wrong course, in mixing up general and hardly relevant considerations with a question of pure justice. Thus, of the decisive measures referred to in para. 12, granting that they were necessary, allusion to them in his report was out of place; for the plea that the honour of Government requires to be vindicated by uncompromisingly visiting an accused party with punishment, supplies a direct motive to condemn that party.

9. I am, therefore, not aware that the misapprehensions noticed in the 15th para. existed.

10. To illustrate that the misconception of our meaning is on the part of Colonel Outram, I may refer to his 21 and 22 paras., alluding to a statement in his report, that any clemency towards Baba Nafra would not only be intrinsically unjust, but would be productive of the most calamitous moral and political consequences. He says, that Government "ignore" the words "intrinsically unjust." This is a mistake; I had neither leisure nor inclination to refer to those expressions in his monster report, to which I had no objection to offer. My omission in no way did injustice to Colonel Outram, who should have stopped at the word "unjust," and allowed Government to decide if the affirmation were established.

11. Supposing that we had happened to differ conscientiously on this point with Colonel Outram, will any one pretend that the remainder of the sentence did not suggest to us a strong and entirely illegitimate motive for smothering the secret consciousness of the defect in the evidence, and for agreeing with Baba Nafra's accusers and judges.

12. Colonel Outram calls the passage in the Government letter referred to a heavy charge. I consider the Colonel to have been, and still to be, unaware of the obvious tendency of such remarks as the above.

13. No doubts were implied of his perfect honesty of purpose.

14. In the passage quoted in para. 27, we have another instance of the dimness of Colonel Outram's perceptions as to the real drift of his observations in Joita-baee's case.

15. I cannot admit that there is any "obscurity," "clumsiness," or "tautology" in Colonel Outram's assertion, that the prevalent belief at Baroda in the corruption of high officials afforded a justification of the excessive length of the report, and supplied a valid reason why it should be attentively studied, ere Government did aught that might be construed by the friends of corruption at Baroda into a confirmation of the popular belief that Baba Nafra enjoys a more than legitimate influence at Bombay.

16. What meaning but one can be attached to such language? A criminal investigation had been made into direct and definite charges, a man convicted, a sentence passed, and the proceedings of the court which passed it referred to the Bombay Government, with the Resident's observation on them, to guide us in a very important decision involving civil rights, as well as the execution in its totality, or in part, of the criminal's sentence.

17. What could in such a case be implied by the caution against "doing aught," but a caution against the remission of that sentence?

18. In para. 29, Colonel Outram speaks of our accusation against him of having sought to influence the decision of Government by improper considerations. The term "accusation" implies that we considered him to have done so advisedly. I said nothing which admitted of this construction.

19. He observes in the same para., that the portion of the report therein quoted stated facts, not opinions. But granting that the decision of Government there referred to had augmented the mistrust of the Baroda people in the honesty

of high officials, I may ask by what right does Colonel Outram, in addressing the Government in a case of this nature, assume that those decisions were not just, and thus set up his opinion in opposition to that of the several governments which passed them?

20. Have Government or the Court admitted their injustice? If he thought them unjust, and deprecated the consequences which have resulted from them, it was open to him to have singly and severally made good his charges. But the allusion to them has no business here.

21. If he do not impugn the justice of their decisions, it is difficult to imagine why they should be introduced at all. Colonel Outram cannot expect that Government should vary from the course which they deem right and proper, because unprincipled men may boast of their imaginary influence, and the rabble at Baroda may believe them.

22. As to Colonel Outram's remarks in paras. 30 to 34, it will be sufficient to observe, that whoever may have access to these papers, whether the Court or others, they will be able to judge if Colonel Outram's remarks have been unfairly characterized by me.

23. Colonel Outram argues that his reports should be taken in connexion with each other, and that the facts which had come to his knowledge justify his comments.

24. I am altogether unable to admit these inferences. If Joitabae's case required to be referred to us at all, it was purely on the judicial question of whether the proceedings demonstrated that she, a guaranteed subject of his Highness the Gaekwar, had been injured by his Highness, or (if we even admit so much) by the decision of his Highness's tribunal. The sentence passed on Baba Nafra the Resident recommended should be enforced; all we had to say to it in giving it our sanction, was to consider whether its effect would be to establish Joetabhae in any rights which had been withheld from her, and which we have pledged to see restored to her under the guarantee, or whether it fell short of this. It was open to the Resident to show that the latter was the case, and if the further perjury to which he alludes were attempted to the prejudice of Joetabhae's claims, to meet it and expose it with the same determination that he has already shown in protecting her, he might be assured that the new evidence through which either party might wish to influence this Government would be referred, as usual, to the Resident.

25. Of his remarks here and elsewhere, in allusion to Sir G. Arthur's government, I shall merely observe, that this Government is as anxious as any former one to remove dishonouring misapprehensions of its impartiality.

26. On the same subject, in paras. 40 to 51, he intimates his belief that it is quite within the power of Government to disabuse the minds of the natives of Baroda of the impression that the high officials of the British Government are accessible to corrupt influence; that this impression Sir G. Arthur said could not be permitted to exist unrefuted; and that we ourselves were evidently of opinion that it could and should be refuted, as evinced by the issue of the Khutput Circular.

27. Where the character of a British official is directly questioned, be he high or low, it is the duty of the Resident to spare no pains to sift the origin of the rumour or belief, and to communicate the result of his inquiries to Government in a separate and definite shape. If it appears that the officers have done aught to deserve the suspicion, the inquiry can be carried further; or if it be proved that any of the subjects of his Highness have maligned that officer's character, and promulgated false and injurious rumours, the calumniator would doubtless be visited with his Highness's marked displeasure on his being made aware of the fact, and pressed to punish the delinquent. In this and in no other sense do I read the letter from Sir G. Arthur's Government, so frequently referred to. It will be obvious that my remarks, which Colonel Outram has quoted, did not apply to charges of this nature, directly implicating known individuals; such charges have not been made, nor was the Joitabae Report the place to make them.

28. But the proneness to believe in the influence of the lowest and basest of motives upon the decisions of men in power, which though unhappily not confined

finer to natives, is, from their habits and education, a marked characteristic of the native mind, cannot, I believe, be effectually combated by the occasional detection and punishment of some stray calumniator, by our expressions of the scorn or detestation with which such a belief is viewed, or by proclamations of our own integrity. The sole palliative or remedy is to be found in the application of specific measures to specific cases, and in the personal influence of our local officers; or if our policy is shown to have been faulty, it is open to Government, on being convinced of the fact, to correct it.

29. With reference to Colonel Outram's 38th and 39th paragraphs, I have only to remark that the language in which he has addressed us in his Joetabae and other Reports is calculated to impress us with the belief that he entertained, if he did not openly avow, very different sentiments.

30. He would argue, I believe, that we are not authorized in attaching to his words the interpretation which we have placed upon them. But the language is on record, and it stands there to justify or condemn us.

31. A word in this place on the Khutput Circular. The officers addressed were instructed to report, after due inquiry, whether they had reasons for supposing that a certain belief was prevalent, in which case they were requested to offer suggestions for its eradication. They were not invited to rake up the records of past times and governments for decisions, which according to their imperfect information had been at variance with justice, though decisions might have been specified which parties concerned were reported to have influenced by intriguing with particular officers who were openly named.

32. The imputation of dishonesty of which Colonel Outram complains in his 54th and 61st paras. is purely imaginary. The underlined "now" which has apparently given rise to his remarks was in allusion to Colonel Outram's seeming expectation, as inferred from his own language in the report, that Captain French, without a line of explanation to guide him, could have been reasonably expected to understand the intention of the Colonel's note to the Durbar, of the 6th September, in the sense the latter meant it.

33. My opinion of the course which Colonel Outram should have pursued in apprising the Government and Captain French, his successor, of his suspicions of the systematic and widely organized conspiracy which had involved the case of Joitabae in such doubt and mystery, is in nowise altered by his remarks in paras. 70 to 75; nor, looking to his elaborate report of this case, the length of time during which his inquiries had lasted previous to his departure for Egypt, and the peculiar circumstances which had aroused his suspicions, can I see the force of his arguments in paras. 76 to 83 of the present letter.

34. In the 77th para. he talks of precedent; but surely it would have been neither a dangerous nor extraordinary precedent for a Resident leaving Baroda with the impression under which Colonel Outram left it, to have communicated his belief to Government, a belief based on the inquiries of the four previous months, that Joitabae's was a case in which it behoved both the Resident and the Government to be on their guard against a powerful combination to effect a fraud and to pervert justice; nor was it difficult for him to have given an effectual warning without any great loss of time or trouble. The probable nature of the answer he might have met with was nothing to the purpose, and I am obliged to regard him as under a complete misconception in this matter. But be that as it may, he at least, had he given the warning, could not have been taxed with leaving anything undone to right the Setanee. Nor would he have exposed himself to the charge of a serious error of judgment by having, in the face of what he has stated in his elaborate report, permitted Captain French to work out his way in the dark with no better guide than undigested voluminous proceedings.

35. I pass over paras. 84 to 85. For though I cannot but believe that Captain French has, as Colonel Outram states, forgotten the several interviews which they had together before the latter's departure for Egypt, that very forgetfulness is a proof that it was wrong to trust a subject of so much consequence to the chances of a defective memory.

36. The statement in para. 86 is entirely erroneous; Colonel Outram is not informed in the secretary's letter that he had left the record which he was censured

sured for not having left. He had left nothing but a mass of correspondence, laborious to peruse, difficult to analyse, and very unlikely, without a clue, to have led the new Resident to the conclusions to which it had conducted Colonel Outram.

37. I have but few remarks to offer on paras. 87 to 101 of this letter. Colonel Outram here contravenes, in several respects, the correctness of our decision.

38. I am as unable to perceive the logic of Colonel Outram's remarks as the Colonel is to appreciate mine. There is nothing in the correspondence subsequent to the papers which I have quoted as probably influencing the mind of Captain French to lead me to suppose that its perusal would have altered his opinion on the expediency of a punchayet.

39. I am quite unable to modify my views as recommended in para. 97, and am equally unable to admit that Colonel Outram could, without a breach of international right, have brought the proceedings to a close while Larbaee continued recusant and kept back her evidence, or that, as he states in para. 98, he could have been able, within a fortnight of the 12th September, to have entered on his review of them.

40. On the propriety of his warning Government and his successor, which is discussed in these paragraphs, I have only finally to observe, that those who read his elaborate report, and consider the reasoning he has used, and the state of the case as depicted in it, must be the best judges.

41. He cannot deny that his warning might have produced a salutary effect, and common sense is in favour of the assumption that such a result would have followed. Government had received frequent applications on the subject of Joitabae's claims. They had been referred to the Resident; he leaves his post after a four months' inquiry, which he had mastered as far as it had gone, and just as he fancied that he had good reason for suspecting deliberate villany; but he leaves no sign or record behind him of this conviction.

42. In paras. 102 and 103 of his present letter, Colonel Outram states that it seems to be implied by the Government letter, from the 69th to the five following paragraphs, that he accused Government of intentional unfairness towards Joetabhaee during his absence in Egypt; and he here very earnestly deprecates any such construction being put upon his language. I, of course, admit that Colonel Outram meant his language to bear the construction he affirms he intended; but as I have already observed in para. 29, it is unfortunate that that officer should have employed in his several reports such expressions as would, in my opinion, naturally lead us to a very different conclusion as to his real meaning. Nor can I persuade myself that anyone who employs phraseology which is so easy to be misconstrued by his own countrymen, could be a safe negotiator between this Government and a native court.

43. That Captain French has laid himself open to grave censure for culpable indifference and carelessness in his proceedings in this important case, I am also bound to acknowledge.

44. Of paras. 117 to 125 I have only to remark, that whatever the motives which induced Colonel Outram to address Government as he did on the subject of the punchayet, and I shall not dispute his statements, the fact remains unaltered, as far as Government are concerned, that Colonel Outram's terms were "unqualified," and that they were calculated to satisfy Government that Captain French had exercised a sound judgment.

45. Para. 126 gives an incorrect version of the 76th para. of the Government letter. I do still consider it singular, that with the strong recollection which Colonel Outram has shown of all that occurred in reference to this case before his departure to Egypt, he should not have more closely looked into the proceedings before he addressed Government in the terms of his letter, No. 135, dated 24th June 1850. While he comments with such critical severity on the proceedings of his predecessor, Captain French, he cannot expect that his own inadvertencies shall pass without remark.

46. But this observation, as well as the allusion to his omission to state that he suspected the Durbar of foul play, are not advanced by me for the purpose of

of reproaching him. He should have recollected that we were replying to what we regarded as an indirect attack made by him upon Government, and that we proposed to establish that we had acted for the best under the information afforded us from the Residency.

47. Colonel Outram is quite without justification in arraigning the course which Government pursued in his absence in regard to Nursoo Punt. The case was decided on its merits, and the reasons for the decision given are on record; nor can it fail to be noticed, that if Colonel Outram omitted to communicate his suspicions to Government, in consequence of the want of encouragement which he says he had received, it must have either been owing to pique, or because he regarded Government as unfairly influenced. But the latter belief he has deliberately disavowed.

48. In regard to para. 133, we were not called on to notice, in our remarks in the Joitabae case, the alleged misdeeds of the Gaekwar tribunals, even supposing that the members of those tribunals had been proved to be guilty of deliberate fraud in the matter of the omissions, alterations, and erasures referred to by Colonel Outram, which, until their explanations have been called for and received, cannot be regarded as the case. Neither he nor we are their judges; all that Government could do, should they be unable to furnish an explanation, and should we consider that deliberate dishonesty has been established against them, would be to urge his Highness to punish and disgrace them.

49. Colonel Outram is mistaken in supposing (*see* paras. 138 to 146) that Government has forgotten anything in his report.

50. We may not, perhaps, have drawn exactly the same general conclusions as he has done with respect to Baba Nafra's ability to influence the witnesses whom Larbaee has brought forward after all her denials and delay. Colonel Outram himself seems to forget, that it is barely possible that others might not have deemed that evidence as conclusive, as he has considered it to be, nor suppose from the apparent unity of interest between the principal witnesses, that Baba Nafra might have found it easier to tamper with them, had Larbaee named them all before the punchayet, than with Larbaee herself.

51. It is remarkable that Colonel Outram, who talks of having, by months of arduous and unremitting toil, mastered the intricacies of this case, and unravelled many of its distressing iniquities, would seem to have expected that Government should master it by a much shorter process. In other words, notwithstanding the independence and position of the parties affected, that we should have accepted his conclusions to their prejudice, without scruple or hesitation. And this brings me to the second part of Colonel Outram's remarks, in which he notices the doubts detailed in the Government letter, on the point of Joitabae's having given birth to a child by her deceased husband.

52. I may begin by remarking, that these doubts were only put forward as being suggested by a review of the entire proceedings, and whether reasonably or not I shall leave to those who study the subject carefully to say.

53. But Colonel Outram appears to rush to the conclusion, that they express a positive opinion that the child which passed as Joitabae's was spurious.

54. We have not come to this conclusion. Far from it; but neither did we come positively to the conclusion that the child was hers. The Government is not in a position to speak with absolute certainty on so obscure a question. The value of the medical committee's report, alluded to in para. 151, is not estimated by me at the high standard put upon it by Colonel Outram; on the contrary, there are questions in it which are argued as if the scene of the occurrences referred to was in Europe. (The remarks, for instance, on the difficulties of such a conspiracy as that assumed, and from the conclusions arrived at, on which I entirely dissent, as applied to this country.)

55. But great force should most unquestionably be assigned to Colonel Outram's argument noticed in para. 154, and founded in the manner of the witnesses. I laid great stress on this circumstance in deciding in Joitabae's favour, and I shall refer to it again.

56. As to Punee's consistency, her consistent refusal to admit that she was aware that Joitabae had ever been delivered of a son by her late husband, is

what is referred to. The several depositions considered as a whole, and the medical committee's remarks upon her deposition before them, as well as their deductions, have been estimated by us as we judged to be right.

57. The remarks in para. 150 to 201 are principally a recapitulation of arguments, in which Colonel Outram is very much mistaken if he supposes that we have failed to consider, or that a repetition of them is likely to shake any opinions we may have formed.

58. There is, however, some new matter introduced which is deserving of notice. The explanation afforded in para. 171, that Joitabae is a woman of stunted growth and feeble constitution, is a circumstance which tells against the probability of her becoming a mother at an early period of her marriage. Nor is it impossible that the tactics of Baba Nafra may have been rightly surmised and stigmatised in para. 175.

59. In para. 181, Colonel Outram seems disposed to resort to ridicule.

60. It would, however, recoil on his own head, if his parallel cases had been given and taken to pieces, since it is an evident and a logical deduction from the premises, that where there is a presumption of fraud, the value of that presumption will be affected by the greater or less facilities which are shown to have been given for committing it. It will not be averred that such a fraud as is suspected could have been as securely perpetrated in the house of the husband as of the lady's father and mother, who, if fraud were intended, must have been privy to it.

61. The inference which Colonel Outram has drawn in para. 188 appears to be open to question. It is admitted that a woman might menstruate up to a short period before her accouchement; but it is next to certain that she could be six months gone with child without her knowledge of the fact; and if so, it is extremely improbable that she should have refrained from communicating this important fact to her dying husband.

62. Colonel Outram's observations, in para. 190, might suggest the remarks that it is he who seems to have forgotten that Government cannot implicitly accept his own conclusions as the truth, however inclined to respect them; and that whether the history of Joitabae from 1847 to 1851 be in reality as he argues it to have been, is not a fact to be received, but a statement based on evidence for consideration.

63. In regard to Colonel Outram's remark in para. 195, I am not aware that up to this time he has pointed out any real, though he has indicated several fancied, inaccuracies in the statements made in the Government letter. The Honourable Court must judge which opinion is correct. The inaccuracy here exposed is, however, genuine, and may go for what it is worth.

64. I can find no evidence in the report of the medical committee, of Dr. Davey's assertion, as reported in the 205th para., that Joitabae had suckled a child, as well as given birth to one; nor does he state this in reply to our call upon him to designate the symptoms by which he was convinced of Joitabae's maternity.

65. I may also observe, that even if we deemed the evidence to which he alludes in para. 210 of his letter, in proof of the punchayet's dishonesty, as conclusive, he is quite mistaken in supposing that we should think it necessary to discuss the subject in our reply to him. Any proof of the alleged fraud that has been adduced has been punished by the punchayet itself, which we would suppose might have suppressed it; and, as I have elsewhere remarked, categorical explanations should also have been required and furnished, before I should choose to comment on Colonel Outram's strictures.

66. But, once for all, the Government letter on Joitabae's case has only touched upon what I have viewed as the salient points for notice.

67. The contrast drawn by Colonel Outram in para. 212 of this letter is based on a somewhat wild assumption, by which he attributes to the subject a greater importance than it merits. The assumption is further entirely erroneous, except

as to the fact that the interval during the receipt of his letter of the 28th March, and our reply of the 1st December, was about eight, not nine months.

68. As regards Joitabae herself, I need only repeat that Colonel Outram has been precipitate in assuming that we had ignored the evidence of her having had a child. We detailed in the letter, to which he objects, certain doubts that had suggested themselves to our mind. We did not even estimate the value of these doubts. But the evidence had preponderated, as we viewed it, on Joitabae's behalf, and had determined our decision, which had been favourable to her. Perhaps sufficient weight had not been given to the circumstance of the manner in which her witnesses had been summoned and had given their depositions, which by Colonel Outram's account was calculated to convince the most sceptical. The child being dead, we had avoided pronouncing a decision on a subject on which we conceived doubts might be reasonably entertained; but we had recorded our opinion, that if it became absolutely necessary to promulgate a judgment, the balance of evidence was in favour of Joitabae.

69. Colonel Outram may be informed that his letter will be sent home by the next mail, and that a copy will be furnished to the Resident as a matter of course: the decision on the subject of his postscript has been separately considered.

(signed) *Falkland.*

13 February 1852.

— No. 9. —

MINUTE by the Honourable Mr. *Blane.*

No. 1,469.

I CONCUR generally in the remarks of the Right honourable President, being able to perceive nothing in this lengthy rejoinder to shake in any material degree the conclusions previously arrived at, either as regards the merits of "Joitabae's" case or of Colonel Outram's conduct towards Government in respect to the tone and spirit in which the proceedings have been conducted.

2. As regards the merits of the case, the only point which appears to be established is, that "Baba Nafra" did of his own mere motion cause the abduction of a child. This salient feature was patent from the commencement; and except on the supposition of a strong impression that "Baba Nafra" was, however irregularly, protecting the interests of the family of his patron, by preventing the intrusion of a spurious child, it is difficult to understand how that most unjustifiable exercise of authority was not at once laid hold of by the Resident, under whom it occurred, or by Colonel Outram himself, until incited by the rancorous personal feeling which has led him to take up the case in so violently partisan a spirit. Colonel Outram, in para. 14, quoting from former letters, dwells upon the extreme enormity of the case, and begs of Government to express "to his Highness their deep regret that the state of morals in his capital should have fallen to so low an ebb as the history of Joitabae's case proved to them it had fallen;" but if the annals of crime in a large capital could produce nothing worse than a case of abduction on which to base such a remonstrance, Baroda would be far more immaculate than the evidence of modern statistics shows to be the standard of morality in most of the European capitals.

3. As regards Colonel Outram's conduct towards Government, he cloaks his strictures under the guise of merely giving utterance to the emanations of the "public mind of Baroda;" but as he has no means of ascertaining the public mind, and the greater portion of his arguments are based on the dates and contents of official documents, which could not be present to the public mind, there is no room for any other conclusion than that, although never so unintentional on his part, he is speaking his own mind under that pseudonym.

4. In respect to the "Khutput" circular, it originated in the representation of an impression being entertained in the "mufusil," that by means of intrigues at the Presidency, "the arrangements of local officers can often be defeated, or superseded," or, by calling attention to the existence of such a belief, greater circumspection on the part of persons in office might, it was considered, be promoted. In the light in which the circular has been taken up by Colonel Outram,

the contemplated scope of it has been entirely overlooked, and intrigues of all kinds, even those at a native court, assumed to be included, which gives to the measure a very different complexion from that of the original design.

14 February 1852.

(signed) *D. A. Blane.*

— No. 10. —

No. 1,470.

MINUTE by the Honourable Mr. *Bell.*

HAVING already recorded my opinion on the general complexion of the proceedings in Joitabhaee's case, I have only now to state my concurrence in the views of the Right honourable President, and of my colleague, as to the disposal of Colonel Outram's last remonstrance. I presume it is considered desirable that our despatch should accompany Colonel Outram's appeal, I shall not therefore attempt any recapitulation of the points so well treated of in our President's minute, nor enlarge further on the unbecoming tone and spirit adopted by the Colonel from the first, and in which he still persists in addressing Government, and which will no doubt attract the special notice of the Honourable Court.

16 February 1852.

(signed) *A. Bell.*

— No. 11. —

No. 1,471.

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Board.

ALL our proceedings in this case should now be forwarded to the Honourable Court by the first opportunity; they have been unavoidably detained longer than I could have desired.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

20 February 1852.

— No. 12. —

No. 843 of 1852.—Political Department.

No. 1,472.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *J. M. Davies*, Esq., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you copy of a letter addressed to Government by your predecessor, Lieutenant-colonel Outram, on the 12th ultimo, in the case of Joitabhaee Setanee, and to state that the sentiments of Government on that communication will, if requisite, be hereafter furnished to you.

I have, &c.
(signed) *A. Malet*,

Bombay Castle, 27 February 1852.

Chief Secretary.

— No. 13. —

No. 1,530.

From Lieutenant-colonel *Outram*, C.B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government.

Sir,

Baroda, 7 December 1851.

THE almost simultaneous arrival of the replies of Government, dated 26th ultimo, and 1st instant, to my reports dated 16th December and 31st March last, with that of your letter of the 27th ultimo, communicating to me the Right honourable the Governor's resolve to summarily remove me from office, and at a juncture of time, as in my late numerous letters you have been advised, when investigations are pending at the Residency, so laborious that a clear conviction of their vital importance to the interests of Government alone could have induced me to enter upon them, leaves me at present no leisure wherein to frame and

and submit the observations which I shall hereafter deem it my duty to offer on the animadversions on my conduct contained in the remarks of Government on the cases of Mr. Andrews and Joetabhaee Setanee.

2. Your letter upon the latter case, however, contains an erroneous assumption, which I consider should be respectfully and without delay explained.

3. In your 124 para. Baba Fudkey is designated as my "approved assistant in detecting the frauds and intrigues going on at Baroda."

4. As matters of vital interest to Baba Fudkey are now before Government, it is fair towards him, and for the ends of justice, that his character should not be undermined by misrepresentations, and his Lordship in Council must have been lamentably misinformed when you were directed, in allusion to a given case, to name as my "approved assistant" an individual who not only rendered me no assistance therein, but who was, I believe, during the larger portion, if not the whole of the time the said case was being investigated, absent from this capital and residing in Bombay.*

5. I beg further to add, that until when, a few days ago, compelled "by sheer necessity," as stated and explained in my letter, No. 221, B., dated 2d instant, to seek Baba Fudkey's aid in deciphering certain Soucarray writings, I have never, in any case, called in his assistance since I returned from Egypt; and moreover, having discovered that, when a gentleman who assisted me in the late commission did, in the case of Ghorajee Poll, without my knowledge, send for Baba Fudkey, and entrusted certain village accounts to him, for the purpose of ascertaining whether they had been correctly represented, I sent, the moment I heard of the circumstance, to recall the papers; recovered them before they had been four hours in his possession; and permitted him to enter no further into the business than was necessary to enable him to render a clear statement of the said village accounts, the correctness of the details of which, as given by him in 1848, had been questioned before the commissioner.

6. The same para., 124, proceeds to quote at length a "remarkable passage" of Captain French's letter dated 11 June 1851: "Speaking to him (Baba Fudkey) of the assertion by Joetabhaee of the firm of Hurree Bhugtee & Co., that she bore a child to her late husband, he laughed, and said no one at Baroda believed it; that when the elder widow was confined, he gave the hurkaru who brought the intelligence five rupees; but that when one came, telling Joetabhaee had borne a child to her deceased husband, he tried to escape any present, and at last gave one rupee to get rid of the messenger. This I know he has since denied; but that he told me the above, I assert; for I lost no time in letting the Resident of Baroda know of it, being aware of his ideas regarding the supposed child, as well as of the estimation in which he held Baba Fudkey."

7. It is to be regretted that Captain French, when thus submitting his own, did not annex the Baba's version of the conversation, especially as that officer had previously written to Mr. Grant to obtain it, with the purposed intention, as Captain French declared to that gentleman, of noting "in my reply (to Government) your (Mr. Grant's) answer."

8. As Mr. Grant's answer does not appear to have been submitted to Government, as promised by Captain French, I take the liberty to append an extract (A.) from a letter which I received from that gentleman at the time, in which the purport of that reply is given. Had there been time to refer to Mr. Grant, I would have asked his permission before thus submitting his communication to Government; but I am sure he would not object to my making this use of his letter, to protect a defenceless man from the consequences of the misconstruction Captain French appears to have put on his words, but more especially to free an already deeply injured woman from whatever weight might be attached to such testimony against her.

(A.)

9. But,

* Since this was written, I have ascertained that Baba Fudkey left Baroda for Bombay on the 12th October 1850, and returned to Baroda on the 2d February 1851.

9. But, independently of the fact of Baba Fudkey having denied the interpretation Captain French gave to his words, and passing over the extreme improbability of his having, in direct opposition to his own interests, given expression, in the presence of Captain French, to the asserted sentiments, I beg respectfully to assure his Lordship in Council that that officer's hastily-formed impressions are sometimes grievously erroneous; and, in support of my assurance, I beg to refer to paras. 16 and 17 of my letter, dated 31 March last, transmitting my report on this very case, to reiterate my denial of Captain French's assertion therein contained; and to add that, when I requested Mr. Battye to write to that officer on the subject of that assertion, Captain French, in reply, did not attempt either to maintain it, or to deny that he had made it.

10. As further evidence of Captain French's erroneous impressions, I beg to point out the painful discrepancy manifested between his answer to the questions put to him on the first charge of the commission, and his conduct as exhibited in Dhajee Dondoo Sattiah's letter to his brother (*vide* intercepted letters forwarded with my report, dated 13 October last).

11. The 27th para. of your letter under reply announces that, "Fortunately as you (I) may consider it, the guilt of Baba Nāfra is too clearly established, &c.;" I respectfully submit, that such an issue is fortunate rather for the ends of justice, and that the only interest or duty I had in this intricate and widely ramifying plot, was to carefully investigate the case previous to bringing it under the notice of Government.

12. I am conscious that my unscholarlike application of terms rendered my reasoning liable to misinterpretation; and the 25th and 26th paras. of your letter afford me a distressing proof that, in the case of Joetabhaee, my whole argument has been misunderstood by Government; but the only apology I am enabled to offer in respect of the style of my communication is, that I have always directed my attention rather to practically eliciting than to rhetorically expressing truth.

13. The general tenor of the 23d para. of your letter, and the quotation therein made of my own words, render it unnecessary, I presume, that I should here render the explanation which the opening of your 20th para. would otherwise have required.

I have, &c.
(signed) J. Outram, Resident.

(A.)

EXTRACT from a Letter addressed by Mr. Grant to Lieutenant-colonel Outram, dated 11 June 1851.

I THIS morning received a note from French, saying that he had heard that Baba Fudkey had denied to me his having, to French, laughed at the idea of Joetabhaee having borne a child to her late husband, and having added, that when the elder wife was confined he gave the hurkaru who brought the intelligence five rupees for the same, but that when the messenger told of Joetabhaee's confinement and asked for a present, he, after declining, gave the man only one rupee, for he did not credit the messenger's report. French adds, "Pray say if this be the case, for a letter I got yesterday from Government refers to him; and in my reply I would, with your permission, note your answer, * be it as I am told the Baba states. If curious in these matters, the Government letter and my reply you read."*

* S. O.

I said in reply that the Baba had told me, that in conversation he had mentioned to him (French) the circumstances of the intimation of the birth of Joetabhaee's son having been made to him, and his having given the messenger one rupee; but that he had denied having either laughed at the idea of Joetabhaee having borne a son to her late husband, or having expressed any doubt of her having done so. I added, that I fancied he (French) must have misunderstood the Baba, for that it was not likely, even had he entertained the opinion, that he would have given expression to it, knowing, as he must have done, that it was directly opposed to the view you had taken and were endeavouring to establish, and it being naturally his interest to conciliate you.

(True extract.)

(signed) J. Outram, Resident.

— No. 14. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

No. 1,531.

THE consideration of this letter must be deferred till Lieutenant-colonel Outram submits the further observations he states it to be his intention to make in the 1st para., as I conceive it would be inexpedient to take up any isolated points connected with the general case.

14 January 1852.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

— No. 15. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Board.

No. 1,532.

I CONCEIVE this has been disposed of by our remarks on Lieutenant-colonel Outram's letter of the 12th January.

25 February 1852.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

— No. 16. —

MINUTE by the Right Honourable the Governor.

No. 1,519.

I THINK it better to dispose separately of the postscript to Lieutenant-colonel Outram's letter of the 12th of January, referring to the facts and statements contained in which, I am of opinion that the Gaekwar should be advised to hold the Baba responsible either for the production of the books of the firm, or for the payment of the estimated defalcation.

Should Colonel Outram's suspicions be verified, the Resident should be instructed to urge on his Highness the regret with which Government would learn that the sentence passed on so great a delinquent as Baba Nafra had been either evaded or remitted.

I may here draw attention to Lieutenant-colonel Outram's proposition, that in case Baba Nafra should prove impracticable, his (the Baba's) sons should be imprisoned, simply on the suspicion or assumption that they have been trading with the money belonging to Hurree Bhugtee's firm, and that this should be done without an inquiry into the past, much less a trial and conviction—a piece of advice more in accordance with the practice of an eastern despot than with the spirit and temper of a British Government.

13 February 1852.

(signed) *Falkland.*

— No. 17. —

MINUTE by the Honourable Mr. *Blane*.

No. 1,520.

ANY intimation regarding the further responsibility to be exacted from Baba Nafra might, I think, be postponed until the result of a direct application to the Durbar by the firm, in accordance with the views expressed in our letter to the Resident of the 2d ultimo, be known. I will not, however, object to the Gaekwar being at once advised to the effect proposed by the Right honourable President.

14 February 1852.

(signed) *D. A. Blane.*

— No. 18. —

No. 1,521.

MINUTE by the Honourable Mr. *Bell*.

I REGRET that I cannot concur in the length to which the Right honourable President and my honourable colleague would go, in advising his Highness the Guicowar to hold the Baba responsible for the estimated defalcation. That defalcation has never been proved, and requires to be judicially substantiated before, in my opinion, it would be proper for Government to insist on its being made good. Baba Nafra has been criminally tried by the constituted authorities of Baroda, and is undergoing the sentence awarded for the proved abduction; but it is for the heir of Samul Beecher to apply to the courts of justice or the Durbar for restitution of her civil rights.

Until Joitabaiee shall have moved in the civil court for recovery of what may be due to her, and shall have been refused justice by the Baroda authorities, it would be premature, to say the least, to insist on the summary procedure suggested.

On the other points referred to by the Right honourable the President, I fully concur.

(signed) *A. Bell.*

16 February 1852.

— No. 19. —

No. 1,522.

FURTHER MINUTE by the Right Honourable the Governor.

I REGRET that my colleague Mr. Bell should demur at the orders which I propose to give to the Resident.

But he would seem to have overlooked that the regular proceeding of our system of civil justice is unknown at Baroda, and that the responsibility of Baba Nafra to the heirs of Hurree Bukhtee's firm has been established in the proceedings on Joitabae's case, who, under the guarantee, has brought the decision of the Gaekwar tribunals before the Resident; on the grounds, as I understand the guarantee, that her right to share in the management of the bank, as the mother of one of the heirs, had not been acknowledged by this decision, in which Joitabae's maternity was left an open question.

But Baba Nafra's responsibility as manager of the firm is clear, and it is therefore consistent with justice to call upon him to surrender the books of the firm, admitted to be in his keeping; or if he refuse this act of common honesty, to make good the estimated defalcations.

And if we intend that our interference in this matter should be attended with any useful result to the guaranteed parties, it can only arise from our urging on his Highness to see justice done to the firm, on the established facts and evidence, which require no additional inquiry to justify his Highness in acting as we advise him. Baba Nafra may avoid the penalty by giving up his master's books. As Mr. Blane does not object to the instructions which I propose to give to the Resident, I should wish them to be acted on.

20 February 1852.

(signed) *Falkland.*

— No. 20. —

No. 1,523.

FURTHER MINUTE by the Honourable Mr. *Blane*.

THE Honourable Mr. Bell would seem to have overlooked the alternative to be allowed to Baba Nafra of giving up the books of the firm. I have already deferred to the instructions proposed by the Right honourable President to be issued to the Resident.

21 February 1852.

(signed) *D. A. Blane.*

— No. 21. —

FURTHER MINUTE by the Honourable Mr. *Bell*.

No. 1,524.

I SEE no reason to alter the opinion expressed in my minute of the 16th instant.

21 February 1852.

Seen.

(signed) *A. Bell*.(signed) *Falkland.*
D. A. Blane.

— No. 22. —

No. 863 of 1852.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *J. M. Davies*, Esq., Resident at Baroda.

No. 1,525.

Sir,

WITH reference to the annexed copy of a postscript to a letter from Lieutenant-colonel Outram, to my address, dated the 12th ultimo, relative to certain defalcations in the accounts of the firm of Hurree Bhugtee of Baroda, I am directed by the Right honourable the Governor in Council to request that you will advise his Highness the Gaekwar to hold Baba Nafra responsible either for the production of the books of the firm, or for the payment of the estimated defalcation.

2. With reference to the latter part of the third para. of the postscript, I am desired to refer you to my letter, dated the 24th instant, No. 792.

I have, &c.

(signed) *A. Malet*,

Bombay Castle, 27 February 1852.

Chief Secretary.

(True extract.)

(signed) *A. Malet*,
Chief Secretary.

21.

Collection No. 1 of No. 46, Bombay Political Department,
Letter from, dated 3 May 1852.

Case of JOETABHAAEE SETANEE.

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Bombay Castle,
3 May 1852.

(signed) *H. E. Goldsmid*,
Secretary to Government.

— No. 1. —

Extract Bombay Political Consultation, May 1852.

MINUTE by the Right Honourable the Governor, dated the 26th April 1852,
concurred in by the Board.

1. A CIRCUMSTANCE has come to my knowledge in relation to the case of Joetabhaee Setanee, which I think should be brought to the notice of the Honourable Court for any proceedings which they may see fit to take upon it.

2. I would recall to my colleagues' recollection the fact, that the child which was said by Baba Nafra to be spurious, was born during the period that Sir Robert Arbuthnot was Resident at the Gaekwar's court.

3. The fact of its being the son of the banker Bechur Samul was first openly questioned during the incumbency of Mr. Andrews, some time after.

4. Colonel Outram and others who espouse the cause of Joetabhaee, maintain that previous to this period, when Joetabhaee and Baba Nafra quarrelled, no one had breathed a suspicion of the child being other than the banker's legitimate offspring, and an assertion of Nursoo Punt that Sir Robert Arbuthnot was aware that the child was spurious, and had on that account refused to attend the ceremony of the naming of the child, was earnestly combated and entirely scouted.

5. In short, the advocates of Joetabhaee have almost entirely based their cause on this hypothesis, that until Baba Nafra and Joetabhaee quarrelled, which was during the period that Mr. Andrews filled the residency, there was no motive for casting suspicion on the child, and consequently suspicion had not been cast upon it.

6. If this then can be disproved, as I am assured it can be; if it can be shown that Sir Robert Arbuthnot was informed that a spurious child was to be introduced into the banker's family, and I now know that he was so informed, the
gravest

gravest suspicions that the child was not the banker's child are superadded to those which I have felt it my duty to point out in my former Minute.

7. For, granting Baba Nafra to be the rascal he is described, and granting Nursoo Punt to have been his relation leagued with him in villany; how is it to be explained that at a time when the interests of these two men and of Joetabhaee were identical (no quarrel at that time existing between her and Baba Nafra), so injurious a rumour was originated and communicated to the Resident?

8. The evidence of Sir Robert Arbuthnot, who is now at home, may be taken on this point, should the Court think it worth while to pursue the matter further.

9. And should it appear that the suspicions in question were communicated to him by the native agent, Nursoo Punt, as the latter has asserted, the circumstance must be regarded as still more extraordinary.

(signed) *Falkland.*
D. A. Blane.
A. Bell.
J. Warden.

26 April 1852.

(True copy.)

(signed) *H. E. Goldsmid,*
Secretary to Government.

22.

Collection No. 1 of No. 92, Bombay Political Department,
Letter from, dated 3 December 1851.

Muratha Note connected with the Interests of his Highness the Gaekwar.

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— No. 1. —

No. 1 of 1851.

From Lieutenant-Colonel *J. Outram*, C.B., Resident, Baroda, to *A. Malet*, Esq., Secret Department,
Chief Secretary to Government, Bombay.

Sir,

ABOUT two months ago, Mr. Grant was requested by some person in Bombay, to me unknown, to forward me a Mahratta note, said to be of a treasonable nature, affecting the interests of his Highness the Gaekwar, to be dealt with as I deemed proper.

2. As the note professed to have been addressed to Appa Sahib, the Gaekwar's eldest brother, by a high Durbar official, and might, I thought, very possibly be a forgery designed to excite distrust and enmity between the brothers, I considered it a matter in which I ought not to interfere; I therefore showed it to no one, and locked it up until Govindrow Rorea, the Gaekwar vakeel, then in Bombay, who I knew to be cognizant of the delivery of the note to Mr. Grant, should return to Baroda, where he was expected shortly, intending to desire him to return the note to the party from whom it was received, with an intimation that it was a matter in which I could have no concern, and if he thought necessary to communicate the note to his Highness, he must do so without my intervention or advice.

3. Govindrow returned some days ago; but having, it appears, fallen into disgrace, has not yet made his appearance at the residency; I had no opportunity, therefore, to make over the paper to him.

4. The night before last I received a confidential yad from his Highness, requesting that the note, of which I concluded he had received information from Govindrow, should be sent to him; accordingly it was sent to his Highness immediately after adopting the precaution suggested by him of signing my name across it. Last night I received a second yad, forwarded in the same private manner, requesting that I would obtain from Mr. Grant, through Government, information as to from whom the note was received.

5. Translations of these yads I have the honour to enclose, and trust Mr. Grant may be enabled to give the required information for the satisfaction of his Highness.

I have, &c.

(signed) *J. Outram*,

Baroda Residency, 12 September 1851.

Resident.

TRANSLATION of a Yad from his Highness the Gaekwar to the Resident, dated 13 Zilkad Soorsun 1252, (A. D. 10 September 1851.)

WHEN Govindrow Pandorung was in Bombay, he informed this Sirkar that a person showed him a note which contained information on oath to the effect that "he (the person to whom it is addressed) would be made as Tutteysingrow." On this Govindrow was directed to send the note quickly to this Sirkar. On Govindrow's return to the Huzoor, he, after informing this Sirkar of the matter, gave in writing; on seeing which it appears that the Sudder Adalat Judge, Mr. Grant, showed the note to Govindrow, and said that he would send the note to the Resident at Baroda. If that note has been received, the Resident is requested to send the original quickly to this Sirkar to look at, with the Resident's mark on it.

TRANSLATION of a Yad from his Highness the Gaekwar to the Resident, dated 14 Zilkad Soorsun 1252, (A. D. 11 September 1851.)

MR. GRANT, the judge, told Govindrowjee that he had sent the note to the Resident after showing it to him. On Govindrowjee informing this matter to the Sirkar, a yad was sent to the residency yesterday, requesting that the note might be sent to this Sirkar, if received; accordingly this morning, Soonyram Gungaram, native agent, brought the said note to the Dubar, which astounded the Sirkar very much. On this an inquiry was instituted

tuted by comparing the writing with other writing, but it does not agree. It may be that this note has been fabricated by some person through enmity, in order to commence a disturbance in the Sirkar's family, in which harmony now prevails. But there is no such dispute in my family, therefore this Government entertains no suspicions about the matter stated in the note. But there is one chief point to be considered of, that is, that whilst a good understanding exists between the two Governments, if a document is fabricated like the handwriting of the Sirkar, or that of his chief kaundar, as the present note is made, it would cause a break in the friendship of the two Governments, and thereby finally do some injury to the State. It is therefore necessary that some inquiry should be made to find out the person who fabricated the note. This Government requests to know what person, and with what view he delivered this note to Mr. Grant, and how he came by it. To obtain this information the Resident is requested to write to the Bombay Government on the subject. The request of this Government is, that in an inquiry into this matter, the Bombay Government will afford such aid as it may require, on the score of friendship, because this case is considered greater than treachery. Therefore if a person who fabricates documents like this is allowed to remain under the two Governments, it is not known what calamity he may hereafter bring. After taking the above into consideration, this Government requests that it may be ascertained from Mr. Grant on the subject, and to send the fabricator of the note with a reply to this. But if it can be known from whom the person who delivered the note to Mr. Grant received it, that person might also be sent here for inquiry. This Government hopes that the Resident, by writing to the Bombay Government, will obtain an early reply on the subject.

(True translations.)

(signed) J. Outram.
Resident.

— No. 2. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Board.

I PROPOSE that the following letter be written to Mr. Gregor Grant, on the receipt of whose reply to which I shall offer further remarks on the subject to which it relates.

(signed) Falkland.
D. A. Blane.
A. Bell.

20 September 1851.

— No. 3. —

No. 329 of 1851.—Secret Department.

From A. Malet, Esq., Chief Secretary to Government, Bombay, to
Gregor Grant, Esq., Bombay, Civil Service.

Sir,

I AM directed to inform you that Government have received from the Resident at Baroda a communication, in which it is stated that about two months ago you forwarded to him a Muratha note, said to be of a treasonable nature, and affecting the interests of his Highness the Gaekwar; further, that he, the Resident, is ignorant of the name of the person who presented to you the above note.

2. Government are at a loss to understand how a high functionary in your position could with propriety be made the channel of transmission of such a paper to the Resident at the Court of Baroda.

3. You are requested forthwith to report, for the information of Government, the name of the writer of the note in question, and the circumstances under which it came into your possession, as likewise to explain the whole of your proceedings in connexion with this extraordinary affair.

I have, &c.

(signed) A. Malet, Chief Secretary

Bombay Castle, 22 September 1851.

— No. 4. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Board.

At the same time that the letter I have proposed should be addressed to Mr. Gregor Grant is issued, Lieutenant-colonel Outram should be requested to forward to us without delay a copy of the paper he received from Mr. Grant, and made over to his Highness the Gaekwar.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

20 September 1851.

— No. 5. —

No. 330 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c. b., Resident at Baroda.

Sir,

I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your letter dated the 12th instant, No. 1, and to request that you will immediately forward to Government an attested copy, accompanied by a translation, of the "Maratha note" therein alluded to as having been forwarded to you by Mr. Grant, and made over by you to his Highness the Gaekwar.

I have, &c.
(signed) *A. Malet*, Chief Secretary.

Bombay Castle, 22 September 1851.

— No. 6. —

From *G. Grant*, Esq., Bombay Civil Service, to *A. Malet*, Esq., Chief Secretary to Government.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, No. 329, informing me that Government have received a communication from the Resident at Baroda, in which it is stated that about two months ago I forwarded to him a Mahratta note, said to be of a treasonable nature, affecting the interests of his Highness the Gaekwar, and requesting me to report forthwith, for the information of Government, the name of the writer of the note in question, and the circumstances under which it came into my possession, and to explain the whole of my proceedings in connexion with this extraordinary affair.

In reply, I beg that you will do me the favour of informing his Lordship in Council that I am unable of my own knowledge to state the name of the writer of the note; it was sent to me privately by an individual, whose safety would be endangered were I to disclose his name, who stated that it had been given to him by a person who alleged and professed himself ready to prove that the writer was Bhou Tambeykur, his Highness the Gaekwar's prime minister, and requested that I would advise him how to act. A few days afterwards Govindrao Roray, the Gaekwar's vukeel in Bombay, called on me, and I showed him the note; he said that there was no doubt whatever; indeed, that he could make oath that it was in the handwriting of the minister. Under these circumstances, not having the means of forming an opinion as to the authenticity of the document, nor it being my province to stir in the matter, I considered that the best thing I could do was to place the note in the Resident's hands, to do with as might seem to him best.

With reference to the observation in para. 2 of your letter, that Government are at a loss to understand how a high functionary in my position could with propriety be made the channel of transmission of such a paper to the Resident of Baroda, I beg leave to state that I was not asked to act as a channel of transmission, I simply forwarded from myself, privately, to Colonel Outram, with whom I was on terms of intimacy, and in the habit of corresponding, a paper with the contents of which, if written by the party to whom it was attributed, it seemed to me highly desirable that he should be acquainted.

I have, &c.
(signed) *Gregor Grant*,
Bombay Civil Service.

— No. 7. —

MINUTE by the Right Hon. the Governor, concurred in by the Board.

I HAVE perused this letter with much regret. I defer expressing my opinion in regard to it or to Mr. Grant's conduct until we shall be in possession of the written copy of the letter we have instructed Lieutenant-colonel Outram to send us.

(signed) *Falkland*.
D. A. Blane.
A. Bell.

26 September 1851.

— No. 8. —

No. 2 of 1851.

Secret Department. From Lieutenant-colonel *J. Outram*, c. b., Resident, Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to acknowledge the receipt this day of your letter in the Secret Department, No. 330, dated 22d instant, and to forward, as therein required, an attested copy and translation of the "Mahratta note" alluded to in my communication to your address dated 12th instant, No. 1.

I have, &c.
(signed) *J. Outram*,
Resident.

Baroda Residency, 27 September 1851.

TRANSLATION.

Shreegurjanum.

TAMBEYKUR petitions to the effect: Regarding what has passed between us, arrangements are being made to carry out what occurred to Futtysing Maharaj. You wait a little. On this subject I have sworn by Herumbachee. Be this known to you.

(True translation.)
(signed) *M. Battye*,
Assistant Resident.

— No. 9. —

MINUTE by the Right Honourable the Governor.

I SHOULD wish a literal translation of this letter to be made in the Persian Department.

12 October 1851.

(signed) *Falkland*.

LITERAL TRANSLATION OF MAHRATTA NOTE.

May Shree Gujanun be favourably disposed !

(Copy.)

THE representation of Tabuvkur is as follows :

According to the arrangements, I am endeavouring to make Futteysing Maharaj, and to convince (you). You should be patient. On this subject an oath in the name of Herumbha has already been administered. Let this be known to you. This is the prayer.

(True translation.)

(signed) *A. Richardson,*
Deputy Secretary.

On the back of the paper—

Examined by Bhao Appajee Khasgeewala.

(True translation.)

(signed) *A. Richardson,*
Deputy Secretary.

— No. 10. —

FURTHER MINUTE by the Right Honourable the Governor.

I WILL not comment on the impropriety of Mr. Grant sanctioning the idea that he would take a part in a case of this nature, further than by observing that, while fully sensible of the advantages attendant on our civil officers being at all times accessible to natives, I am equally convinced that the utmost care should be taken, during interviews, to prevent such matters being discussed or adverted to as would on inquiry be likely to form matter for grave consideration, either by themselves or other public officers, and thus to avoid giving the impression of any bias having been received, or any particular interest taken in such affairs.

2. In the present case we have a judge of the highest court of appeal who permits his advice to be sought as to the disposal of a document containing matters treasonable to one of our allies.

3. The document before us, although ambiguously worded, as such documents always are, bears the name of the professed writer, and is understood by his Highness the Gaekwar, the person most interested, as purporting to be addressed by that writer, who is the chief minister at his court, to his Highness's brother, and as containing matter which any one familiar with the past history of the family must see to be highly treasonable on the part both of the writer and the receiver, and calculated to breed the bitterest dissensions and distrust between brothers whose mutual good-will and confidence are of the utmost importance to the welfare of the State and to our relations with it.

4. If the document is genuine, his Highness is entitled to the information for which he has applied, to enable him to establish the fact. If a forgery, and I am glad to learn that his Highness sees reason to condemn it as such, he should have every possible aid from us in tracing the author of so mischievous a calumny. For all that we know, and in so far as we can learn from the papers before us, for all that his Highness knows to the contrary, the author may be a subject of his Highness, and even in his confidential employ.

5. A recollection of the fate of other native princes determined on documentary evidence might well cause his Highness to view with alarm the production of a document forged in the name of his own minister.

6. We may be able to make his Highness the Gaekwar understand sufficient of the principles which guide our administration to enable him to comprehend and admit the impossibility of our resorting to coercion, with a view of obtaining the evidence to which he is entitled; but we shall certainly fail of satisfying his Highness as to our desire of furthering the inquiry if we do not use all available means for obtaining from one of our own highest functionaries such information bearing on the inquiry as he himself has admitted to be in

his possession, and this course becomes the more imperative in consequence of the fact that Mr. Grant is the highest of our civil officers whose duties require them to visit the province,* and the actions of an officer in his position can hardly fail to be considered, in some measure, as an index of the views of Government.

7. Therefore I consider the only course we have to take is to address Mr. Grant to the following effect.

(signed) *Falkland.*

13 October 1851.

— No. 11. —

No. 398 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, to *Gregor Grant*, Esq.,
Bombay Civil Service.

Sir,

I HAVE placed before the Governor in Council your letter, without date, but received on the 23d September last, as also copy and translation received from the Resident at Baroda of the Mahratta note therein referred to. Your conduct in having received that note, and shown it to the vukeel of his Highness the Gaekwar, has involved consequences which make it imperative on Government to require from you the name of the person who sent it to you, and information as to the channel through which it was received. I am therefore instructed to inform you that Government require that on receipt of this letter you will without delay furnish Government with these particulars.

I have, &c.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 1 November 1851.

— No. 12. —

MINUTE by the Honourable Mr. *Blane*.

I DOUBT the expediency of Government undertaking to trace out for the Baroda Durbar the authors of a document of the nature of that in question, and am of opinion that the principle that is in any way incumbent upon us to do so, is one which it would be inadvisable to concede. I foresee every possible embarrassment from Government permitting itself to be drawn into such inquiries by so easily arranged a device as causing the discovery of mysterious documents relating to native Durbars.

2. I would, therefore, direct the Resident courteously to intimate to his Highness the Gaekwar, in reply to the confidential yad, of which a translation was forwarded with his letter of 12th ultimo, that Mr. Grant denies being able on his own knowledge to state the name of the writer of the note, and since the principles of our administration preclude our enforcing disclosures under circumstances such as those of the present case, we trust the means at his Highness's command will prove amply sufficient to enable him to satisfy himself as to the merits of the document to which he refers, without any need of interference on our part.

3. At the same time, I consider Mr. Grant to have been guilty of a most lamentable want of judgment in the course pursued by him, and in intimating
our

* Mr. Grant has to pass through Baroda on his way to and from stations at which he holds his circuit courts, and is entitled to a salute of 13 guns on arrival at or departure from any of those stations provided with the means of paying such honours.

our most serious displeasure, would inform him that in the opinion of Government it is incumbent upon him voluntarily to make every amends by furnishing the fullest information on all particulars in his power, and that although, under the representation in his letter of 23d ultimo, we refrain for the present from insisting upon his doing so, the whole of his proceedings will be reported to the Honourable Court for such further notice as they may please to direct.

(signed) *D. A. Blane.*

16 October 1851.

— No. 13. —

MINUTE by the Honourable Mr. *Bell.*

IN the first instance I felt disposed to concur in the course proposed by the Right honourable the President in his minute of the 13th instant, but on further consideration I am inclined to think that it would be preferable to adopt that recommended by my honourable colleague, in whose views on the subject I entirely concur.

The Right honourable the President would seem to be under the impression that it is imperative on the Judicial Commissioner for Goozerat, on his tour, to pass through Baroda; such is, however, not the case, and unless my memory greatly misleads me, I think there are orders forbidding the Judicial Commissioner visiting Baroda, though I have no recollection of their date; and the practice of giving salutes to the Judicial Commissioners has long since either been rescinded or has become obsolete.

If the orders, however, to which I have referred do not exist, it will perhaps be as well to intimate to Mr. Grant that it is the wish of Government that he should avoid visiting Baroda on his next approaching inspection.

17 October 1851.

(signed) *A. Bell.*

— No. 14. —

FURTHER MINUTE by the Right Honourable the Governor.

I REGRET much the delay which has taken place in the disposal of these papers, which it would appear has arisen from their having been accidentally mixed up with former proceedings relative to other matters that had come before me, and they have only this day been brought to my notice.

I adhere to all the opinions I have expressed in my minute, but I am content for the present to defer the discussion of our obligations towards the Gaekwar, and the policy of assisting him in this inquiry.

I am decidedly of opinion that the letter I have proposed should be sent to Mr. Grant, and so sensible am I of the importance of compelling Mr. Grant to render to us the information we have demanded, that I am quite prepared to take the responsibility of the measure upon myself should my colleagues dissent from my views.

I therefore request that the letter may forthwith be issued.

26 October 1851.

(signed) *Falkland.*

— No. 15. —

FURTHER MINUTE by the Honourable Mr. *Blane.*

As I should not be prepared to proceed to extreme measures for compelling Mr. Grant to furnish the information required, in case of his persisting in his former plea for declining to do so, I am not of opinion that so peremptory a demand as in the draft letter proposed to be written to him is advisable.

28 October 1851.

(signed) *D. A. Blane.*

— No. 16. —

FURTHER MINUTE by the Right Honourable the Governor.

I CONCLUDE that the request in my last minute has been complied with, and the letter sent to Mr. Grant. If it has not, I desire that the Chief Secretary will have the goodness to forward it immediately.

30 October 1851.

(signed) *Falkland.*

(Seen.)

(signed) *D. A. Blane.*
A. Bell.

— No. 17. —

From *Gregor Grant, Esq., Bombay Civil Service, to A. Malet, Esq.,*
Chief Secretary to Government, Bombay.

Sir,

IN obedience to the commands of the Right honourable the Governor in Council, conveyed to me in your letter of the 1st instant, No. 389, I have the honour to state that the "Muratta note" therein referred to was brought to me by Bulwut Rao Eshwunt, a Karbaree in the employ of Venayek Moreshwur Phurkey Sahib, who told me that it had been received from a person residing in Baroda, named Succaram Sudaseo, and sent to him with a view to my opinion being obtained as to the advisability of its being made use of for his own justification, by the said Venayek Moreshwur, who had been charged by the alleged writer with the very crime which the note, if authentic, brought home to his accuser.

2. Some explanation of my own proceedings in connexion with this note appears to be considered necessary.

3. In explanation of my having received it, it will suffice to say, that I have for several years been on terms of friendship with Venayek Moreshwur, that I believed (and believe) him to be a man of the highest character, a man who had done the state most valuable service, and who had enjoyed the entire confidence, and the highest opinion of almost every officer under whom he had served, including, I believe, yourself; and that the note deeply affected his interests.

4. It would perhaps be a sufficient answer to the question, why I showed the note to the vakeel of his Highness the Gaekwar, that that person asked me to do so; but I will add, that somewhere upwards of a year ago that gentleman called on me, and unsolicited (for I was then a stranger to himself and his master), asked me, at the desire, he said, of his Highness, to use my influence to induce Venayek Moreshwur to return to Baroda, assuring me that the Maharaj was fully satisfied that the charges which had been made against him, and his treatment in connexion with which had forced him to fly the country, were the result of a foul conspiracy, and that it was the earnest wish of his Highness to secure his services in his ministry. That this communication was authorised, subsequent events proved, for whilst on my late tour of circuit, and about to pass through Baroda, the Maharaj, who was then absent on a hunting excursion, sent me repeated messages, begging me as a special favour, should I reach his capital during his absence, not to leave it until his return, as he particularly wished to see me on the subject on which his vakeel had communicated with me. And when I had the honour of meeting his Highness, the subject was referred to, and he assured me that he was fully satisfied of Venayek's innocence, and that he would, should he continue to deserve it, extend to him his protection and support. This occurred in the presence and hearing of Colonel Outram, Lieutenant Whitehill, Govind Roraig, and another person.

5. Your letter reached me late on Saturday, or I should have replied to it on that day.

I have, &c.

(signed) *Gregor Grant,*
Bombay Civil Service.

Bombay, 3 November 1851.

(True copy.)

(signed) *A. Mallet, Chief Secretary.*

— No. 18. —

MINUTE by the Right Honourable the Governor.

MR. GREGOR GRANT having given up the name of the person from whom he received the letter, it now remains for us to consider the course to be adopted, first towards Mr. Grant himself, and next with regard to the request made to us by his Highness the Gaekwar.

2. Mr. Grant should, in my opinion, be informed that Government regard his conduct in this matter with great displeasure, and that any interference on his part, direct or indirect, in the affairs of the Baroda Durbar, is from henceforth peremptorily forbidden.

3. I would also remove Mr. Grant from the post of Judicial Commissioner in Guzerat, and appoint Mr. Larkin to act as such.

4. Lieutenant-colonel Outram may be informed of the tenor of Mr. Grant's reply of the 3d instant, and instructed that he may, provided he see no reason to the contrary, impart to the Gaekwar personally the channel through which Mr. Grant received the letter, and from whom it came. Should Colonel Outram, however, see reason to object to this, he will inform Government of the cause of his objection, and ask for further instructions.

(signed) *Falkland.*

8 November 1851.

— No. 19. —

MINUTE by the Honourable Mr. *Blane*.

I CONSIDER the blame attaching to Mr. Grant in this affair to be limited to the indiscretion of having taken any part in such a matter.

2. The paper sent to him was at once communicated to the parties to whom the disclosure of the existence of such a document might be presumed to be of the most importance, and he has now given up the name of the party from whom he received it.

3. I quite concur in his being peremptorily forbidden to interfere in any way in such matters for the future, but consider his removal from his circuit a measure of undue severity. To prohibit his visiting Baroda on the road would, I think, be sufficient.

4. I have no objection to para. 1 of his present letter being communicated to Colonel Outram, with permission to impart it to his Highness the Gaekwar personally, should he, Colonel Outram, consider such a course to be advisable.

(signed) *D. A. Blane.*

8 November 1851.

— No. 20. —

MINUTE by the Honourable Mr. *Bell*.

I ENTIRELY concur with the honourable Mr. Blane, that although Mr. Grant acted most indiscreetly in meddling with matters which he ought to have known it was highly improper in him to interfere with, the proposed severe censure of Government, and the prohibition of visiting Baroda on his circuits hereafter, will, it is to be hoped, prove sufficient to prevent a repetition of the grave indiscretion of which he has been guilty.

I consider Mr. Grant withholding the information called for in the first instance, an aggravation of his offence; for having improperly interfered, it was his bounden duty to have afforded to Government all the information in his power.

(signed) *A. Bell.*

10 November 1851.

— No. 21. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Board.

THE opinion of my colleagues with regard to Mr. Grant may be acted on; I conclude that they assent to the rest of my minute, and that the Chief Secretary may communicate with Colonel Outram accordingly.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

10 November 1851.

— No. 22. —

No. 405 of 1851.

Secret Department. From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *Outram*, c. b., Resident at Baroda.

Sir,

WITH reference to my letter to your address, dated the 22d September last, No. 330, and to your reply thereto, dated the 27th of the same month, No. 2, I am directed by the Right hon. the Governor in Council to inform you, that on reference to Mr. Gregor Grant, that gentleman states that the "Muratha note" therein adverted to, was taken to him by "Bulwunt Rao Eshwunt," a Karbaree in the employment of "Venayek Moreshwur Phurkey," who stated it had been received from a person residing at Baroda, named Succaram Sudaseo, and had been sent to him with a view to Mr. Grant's opinion being obtained as to the advisability of its being made use for his own justification, by the said "Venayek Moreshwur," who had been charged by the alleged writer with the very crime which the note, if authentic, brought home to his accuser.

2. Government has expressed its extreme displeasure at Mr. Grant's interference in Baroda affairs, and peremptorily forbidden a repetition of such conduct on his part in future.

3. I am instructed to authorise you, provided no good reason exist against it, to impart personally to the Gaekwar, alone, the channel through which Mr. Grant received the letter, and the name of the person from whom it came. Should, however, reasons exist to render this measure objectionable, I am to request that you will report thereon to Government for further instructions.

I have, &c.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle,
15 November 1851.

(True copy.)
(signed) *A. Malet*, Chief Secretary.

— No. 23. —

No. 406 of 1851.—Secret Department.

FROM *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to *Gregor Grant*, Esq., Bombay Civil Service.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter dated the 3d instant, submitting information relative to the Muratha note alluded to in my letter, to your address of the 1st instant (No. 329), and explaining your proceedings in connexion therewith.

2. In reply, I am desired to inform you that your conduct in this matter is viewed by his Lordship in Council with the greatest displeasure and surprise, and that you are peremptorily forbidden from exercising hereafter any interference whatever, either directly or indirectly, in matters connected with the affairs of Baroda.

3. I am

3. I am also to communicate to you the prohibition of Government against your visiting Baroda on any of your future circuits as Judicial Commissioner for Guzerat.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 15 November 1851.

— No. 24. —

Secret Department.

FROM Lieutenant-colonel *Outram*, C. B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

IN reply to your letter (No. 405) dated 15th instant, marked confidential, on the subject of the "Mahratta note," regarding which I addressed you on the 12th September last, I beg leave, under the latitude permitted to me by your 3d para., most respectfully to submit to the Right honourable the Governor in Council the circumstances under which the note was divulged, which will, I think, cause his Lordship to be of opinion that it is not advisable to make the communication to the Gaekwar at present, which I am therein conditionally instructed to convey to his Highness.

2. From the accompanying translations of a petition presented to me by Venaik Moreshwur Fudkey (No. 1.) on the 30th August last, and of the examinations on oath (Nos. 2 and 3, dated 19th and 21st September) of the parties who gave the note to that person, it will be seen that there is strong proof that it was really written by the minister (Bhow Tambekur), who was, I know, about that time suspected by his Highness of intriguing with his brothers against him, suspicions which he, the Bhow, averted by artfully turning them against Venaik Moreshwur Fudkey, whose prosecutions in consequence are detailed in Sec. 2, Part 2, of the Report on Khutput, transmitted with my letter dated 31st ultimo, and whose innocence would, I believe, have been fully established at the time, had Government deemed itself justified in investigating the matter.

No. 1.
Nos. 2 and 3.

3. The extreme anxiety evinced by the minister when the fact of the note having come into my possession first transpired, tended greatly to remove the suspicion I had at first entertained as to its authenticity; and his strenuous endeavours to get up false evidence, to fix the forgery on Venaik Moreshwur Fudkey (the proofs I possess of which can be forwarded if required) satisfied me that the note was really written by the Bhow.

4. Venaik Moreshwur having received intimation of the minister's proceedings (my own information respecting which was neither derived from the Fudkey, nor from sources with which he had any connexion), petitioned me (No. 1) to call up and examine the parties who gave the "note," apprehensive lest if the minister got hold of the man, he might be induced by bribery, or compelled by torture, to forswear himself, as it was believed Govind Rao Roria had already been induced to do. Umrut Rao (the man referred to) had however concealed himself, in dread of the Bhow's vengeance, and it was not till the 19th September, when he contrived to escape to camp, that I had the opportunity to examine him (No. 2), and on the 21st idem I obtained the evidence (No. 3) of Succaram Sudasheo, the other person concerned in the matter.

5. Under these circumstances, the minister whose treason is implicated by the "note," wielding the whole power of the Durbar; such strong ground existing for believing that Venaik Moreshwur was formerly victimised through a foul conspiracy concocted by the minister; the fact that the minister is more than suspected of being a principal instigator of the false charges against Venaik Moreshwur lately investigated by Captain Fulljames, and which I understand that officer has pronounced to be the result of another foul con-

spiracy ; and the gross perversion of justice displayed by the Durbar, in the Joetabhaee punchayets ; his Lordship will not I presume be disposed to permit the further investigation of this matter while Bhow Tambekur remains in power.

6. I believe that the influence exercised by the Bhow over the Gaekwar is solely grounded on the fear with which he has inspired his Highness by his cunning, and the supposed great influence with high functionaries of his ally, Nursoo Punt, that he can, if opposed to his Highness, raise his brothers against him with the secret support of Government, and I believe that personally his Highness dislikes the man.

I have, &c.
(signed) *J. Outram,*
Resident.

Baroda, 22 November 1851.

No. 1.

TRANSLATION of the Petition of Venaik Moreshwur Fudkey to the Resident, dated
31 August 1851.

My request is this, that agreeably to your order, I examined the accounts of the Pole, in consequence of which Nursoo Luxman did his best to injure me. In the mean time you proceeded for change of air. Nursoo Punt, having combined with the Guirewar's kamdar, tried to injure me. On this subject I sent a petition to you at Egypt, which petition was probably sent to the Acting Resident, in consequence of which the latter gentleman got very angry with me, and thus both kamdars got full permission to do what they liked, and thereby made great impositions on me. Both my brother and myself petitioned the Bombay Government, and the Resident. You were pleased to write to Government on my behalf, but the Bombay Government took no notice of what you wrote, but confirmed what the Acting Resident had written. This news the Gaekwar Kharbarree must have received from his agent, through the secretary office. Consequently they raised another false charge against me in Assoo (October) month of last year, and got Govind Row Pandoorang Vakeel to communicate something to you to my detriment. This I heard. I then considered that as his Highness the Gaekwar pays no attention to matters of justice, and as my enemies will do what they like with me by disgracing me again, I therefore left this at once for Bombay, and sent petition to you and the political agent at Rewa Kanta. Shortly afterwards the political agent, Major Brown, arrived in Bombay ; I waited on that gentleman to pay my respects to him, who desired me to return to Baroda without fear, as he had to institute inquiries into the charge set forth by Sahib Koover of Bhaderwa, in her petition ; that after the case was disposed of, if I wished, he would see me sent in safety to Bombay. At this time the Gaekwar Vakeel, Govind Row Pandoorung Roreea, came to Bombay. One day I went to pay my respects to Mr. Grant ; while there, Govind Row Pandoorung came in. Govind Row then told Mr. Grant that his Maharaj was very anxious to see him. The Sahib replied that he had not the pleasure of being acquainted with the Maharaj. Govind then said that an acquaintanceship is only formed by visiting each other ; that when he went on his tour this year towards that zillah, the Sahib should make a point of visiting the Maharaj. He further said, that by desire of the Maharaj, he begged to state that the Maharaj was fully satisfied of the falsity of all the charges which were brought against Baba Fudkey, and that he (Govind Row) should do his best to persuade me to return to Baroda. Mr. Grant on this told me that as Govind Row declared that all suspicion from his Highness's mind had been removed, I should positively proceed to Baroda ; to which I replied, that when the Sahib proceeded on his tour and arrived at Broach, I should then leave Bombay and join him at that place. Accordingly I came to Broach, joined the Sahib at that place, and then came to Baroda. Some time afterwards the political agent commenced the investigation of the Bhadurwa case, which is still going on. But my enemies having got information that I obtained strong proofs from the office to refute the charge brought against me, they are now trying to raise some other false charges against me, like before. I therefore beg to state that I have discharged, and still discharge my duties faithfully to the Sirkar, and instead of receiving praise, reward, or service, of which I entertained hopes, I am persecuted undeservedly ; therefore it behoves the Resident to protect me against such acts. That I expect the British Government will afford me full justice for the persecutions my enemies have done me. The whole of this matter has been laid before the Honourable the Court of Directors ; but pending the decision of the Court on the subject, if the Resident has no objection, I will come and reside in camp, and humbly beg that the Resident will kindly make arrangements that my enemies may not molest or injure me. Being anxious to possess what proofs I could as to the persecution which I have been subject to, I beg to state that about Chyttee month (April), a person came to me and said that my character had been injured by false charges being brought against me by the present Kamdar, on whom his Highness the Gaekwar places so much confidence, and he is

the

the person who is concerned in certain "feetoor" (sedition) proved by a certain document in his own handwriting. That the person who was in possession of the said document was ready to meet me and inform me of all the circumstances, and give up the document in question to me. I replied that some enemy of mine may have got some person to play me a trick, that I had no need to hear such things. This person then wished me to see the man once, and hear all that he had to say, and if I felt satisfied of the truth of what he said, I was to take the document from him, otherwise not. He further said that as that person had come of his own accord, why refuse him? I replied that if he himself believed the man, and had trust in him, I had no objection to see him. On this, the said person was brought to me; on seeing him, I recognised him as the carkoon of Bhow Tambeykur. I plainly told him that I had no wish to meet or speak to one who wilfully raised false charges against me; he being the confidential man of Bhow Tambeykur, and his brother-in-law being likewise employed under Tambeykur, that perhaps with the view of doing me some mischief, and by the advice of some person, he had been sent to me. I could therefore have no trust in him. The carkoon then replied that "it is true you have no faith in me, because I am a person belonging to Bhow Tambeykur's house, but you should not think that I am a faithless person, or that I had come with any bad motives to you, because under such a benign Government (British), it is strange that false charges should be brought against persons like yourself, without any reason whatever; that even now, encouragement is offered to people to petition against you; that in all this my master is considered, and that his Highness had some suspicion about it before; but I have in my possession a 'chit,' in the handwriting of my master, on the subject, which will be of use to you when an inquiry into your case is made, and I am ready to give it up to you." So saying, the carkoon delivered me the note. After reading it, I told him that I did not know Bhow Tambeykur's handwriting, therefore how can I say whether this chit is in his hand or not; he replied, that "in the Brahmin caste we consider a cow as a great deity, therefore, by placing my hand on the cow, I swear that the chit is in reality in the handwriting of Bhow Tambeykur." I then told him, "It is true you have taken an oath, but the times are bad, and I fear much, because in such a time as this no trust can be put in any one; but if your statement is correct, give me a paper in your handwriting, to the effect that if I showed the "chittee" to any one, and it turns out to be untrue, you must be answerable for it. If you will pass me such a writing, as also give me the original chit, with its copy, in your own hand, I would take them, otherwise I have no need of them; what was in my fortune I have suffered." On this the carkoon gave me a writing, together with the original chit and its copy, in his own hand, which I received. The original chit and a copy of this writing, I sent to my carkoon in Bombay, and desired him to show them to some respectable persons, and obtain their opinion on them, as to whether they would be of any use at the time when my pending case is inquired into by the Resident. On this my carkoon showed them to some great persons, who gave their opinion that these papers would be of use at the time when my case is inquired into, such at least appears from the tenor of the chit. The said chittee appears to have been also seen by the Gaekwar's Vukeel, Govind Row Pandoorung, in Bombay, who stated that it was in the handwriting of Bhow Tambeykur. Afterwards I learnt that the said chit had been received by you. I therefore beg to enclose the writing passed by the person who gave me the chit, as also a copy of the said chittee, written in his own handwriting. Should Tambeykur, or his counsellor, Wamun Row Sattch, or any other tricking persons, by holding out encouragement to the person who gave me the chit, get him to speak against me, or in the event of his going to his native country, or to seek employment elsewhere, it will cause obstruction to my cause; I therefore request the Resident will kindly send for this person, take his deposition, and record it in my pending case; and that arrangements be made that, in future, no further persecutions may be practised on me. To do this rests with the Resident Sahib.

(signed) *Venaik Moreshwur,*

ENCLOSURES to the above.

TRANSLATION of a Writing passed by Umrut Row Bulvunt to Venaik Moreshwur, *alias* Baba Fudkey, dated Chytree Vud 9th, Sumvut 1907 (A. D. 24 April 1851).

I AM aware that when my master's condition was poor you befriended him. Even now, whenever any talk comes up, he always speaks of the obligation you have rendered him; but for the sake of Nursoo Punt Tatia, Wamun Row Sattch, and others, he was obliged to stop your assamee, and do all other oppressions on you. It then struck me that the "Karbar" which my master got, was through the influence and instigation of Nursoo Punt Tatia, and therefore my master did this to please him. But after Nursoo Punt left this, my master after intriguing with the brother of the Maharaj, misrepresented matters to the Resident Sahib; from this I was satisfied that he himself is an intriguing person, because in a case in which he is the originator, and through me messages, chits, &c., are sent in that case, and I being well acquainted with the matter, that he (my master) should be ready and without any reason to ruin another. From this circumstance, I felt a dread that this person will never scruple to do anything that is bad, and by his bold and treacherous acts bring ruin on the Raj. This is not right, and after considering the matter well, I have given you a chittee in the handwriting of Tambeykur, regarding his intrigue with the brother of the Maharaj. You then asked me for a copy of it, and said that though "you have given

me the original, how am I to know if that is true? that if I showed it anywhere, and if not proved true, my reputation would suffer; therefore you should give me a copy of the chittee in your own handwriting, and give me a 'lekh' writing, that you will prove it wherever the chittee may be shown." Consequently, a copy of the chittee, and this document, are now given to you, and you are to show them wherever it may be necessary, as I am ready to prove them.

TRANSLATION of Mahratta Note.

"Shreegurjanun :

"TAMBAKUR petitions to the effect. Regarding what has passed between us, arrangements are being made to carry out what occurred to Futteh Sing Maharaj. You wait a little; on this subject I have sworn by Herumbachee. Be this known to you."

(True translations).

(signed) *M. Battye,*
Assistant Resident.

No. 2.

TRANSLATION of the Deposition on Oath of Umrut Row Bulvunt; Caste, Desusts Brahmin; Profession, Carkoon; aged 36; Inhabitant of Deccan, but now residing in Baroda; before the Resident, on 19 September 1851.

I WAS employed at Bhow Tambeykur's as carkoon for 17 years, during which period Bhow Sahib has been guilty of treachery in the following instances:

1. That from the time of his late Highness, Nursoo Punt and Bhow were great friends. After his Highness's death their friendship increased, through the means of Wamun Row Sattch and Devakur Bappoo, and thus Bhow Sahib attained with the present Maharaj the high position of chief kamdar. Through the means of these two persons, whatever advice Nursoo Punt gave, accordingly the business of the Durbar was carried on. In any important matter, Bhow Sahib used to go to Nursoo Punt's house, and *vice versa*, by which means the people began to suffer much. I told Bhow Sahib that since it pleased Providence to place him in a higher position, he should do good to the people of the Gaekwar state, and thereby benefit the Sirkar, instead of acting according to the advice of bad men, which made the people begin to speak ill of him, which I could not bear to hear. Bhow then told me I should not speak on this subject, so I left off speaking to him; but as I was in his house, I used to see all that he did, and I used to go whenever he desired me. About two-and-a-half or three years ago, Tambeykur having made some overtures to Appa Sahib Maharaj, got a nemnook granted to Bhugwantrow Bhalarow, through whom he carried on his intrigues, to the effect that he (Bhow Tambeykur) would get the whole authority entrusted to him (Appa Sahib). In this way communications were carried on to and fro between them, through Bhugwantrow, who I saw three or four times taking chits from Bhow Tambeykur to Appa Sahib. On this coming to his Highness's knowledge, the Maharaj got angry with Bhugwantrow, and told him he should not go any more to Appa Sahib. Tambeykur then sent me once or twice with messages to Appa Sahib. One day he sent me with a note written in his own hand to Appa Sahib, and said, that I should carefully deliver it to him. On seeing the note, I was very much struck to think that I, a poor man, would be ruined in such business; I therefore kept the chit by me, but told Tambeykur that I had delivered it to Appa Sahib. About 15 or 20 days after, Tambeykur told me that I had not given the note to Appa Sahib, though I had assured him I had done so, and wished me to be confronted. I replied that I had mislaid the note. On this he got very angry with me. What he told his Highness I do not know, but Bhalarow received orders again to go to Appa Sahib, and thus a communication was kept up between them as before. Tambeykur bearing a spite against me on this account, preferred a charge against me of having received 100 rupees, as bribe from the Dessae of Beesnuggur, regarding his business; but before I received this sum I had asked Bhow Sahib if I should keep this money, and he said, yes. After the lapse of three or four months, he then said that he knew nothing of the matter, and by preferring this charge against me, he got me to pay back the 100 rupees to the Dessaree and discharged me, and my business was entrusted to my brother-in-law, Rambhow; notwithstanding this, I used to go to Bhow Sahib and tell him that, though I had not committed any offence, a charge of 100 rupees had been brought against me, and I am dismissed, where therefore am I to go now? He replied that he could not employ me; I therefore visited him seldom. Once before, through the advice of Nursoo Punt and Wamun Row Sattch, &c., Bhow Tambeykur brought a false charge against Baba Fudkey, and confined him, and also stopped his nemnook. I at that time told Bhow Sahib that he acted very wrong in doing this; that I was aware he was a friend of the Baba, to whose house he used to go; that I had frequently been sent by him to Baba regarding the "Jhansa" case of his village; and that when our carkoon used to go out with the Sahib in the districts, he was still treated by the Baba; that not taking this matter at all into his consideration, but listening to the advice of Sattch, Keebey, and others, and thus persecuting and ruining him, was not acting well towards him. I being an old servant, made this appeal, but the

Bhow

Bhow replied, that if I again spoke to him on the subject, he would have me punished, and it is a year now since I discontinued going to Bhow's house. Again, last year, another charge was brought against Baba, who went to Bombay and returned. I then made up my mind to see Baba, and to inform him about the chittee, and to give up the chittee to him; but doubting whether he would see me or not, I thought best to see him through one of his friends, and so I made inquiries, and found that one Succaram Bawah frequented his (Baba's) house, who is also my old friend, and I made sure he would introduce me to Baba. I accordingly went and informed Succaram Bawah all about the chittee, and asked him to introduce me to Baba, who gave no heed to what I said. I continued to see him for a month or $1\frac{1}{2}$ month, when I took an oath and showed him the chittee; he said that he would speak to Baba on the subject, and give me an answer afterwards. About eight or ten days after this Succaram told me to be at Baba's place the next morning at seven o'clock. I accordingly went there at the appointed hour, where Baba and Succaram were seated in the cutcherry. I made my salam to him, on this Baba got angry with me, and asked what business I had to come to his house? that I should not come there in future. I replied that I had something to communicate to him, and that he should not be angry with me. Succaram then told Baba that I was the person he had mentioned to him; Baba then said—he had no trust in me. On this I took an oath on the cow that I would not deceive him; to listen to what I had to say, and if he did not approve of it never mind, I would go away, but to hear patiently what I had to tell. Baba then said if I would actually place my hand on a cow, and take an oath, then he would hear me. I said, very good. So Baba, Succaram, and I, went down stairs, and as there was a cow at the back door I put my hand on the cow and took an oath; afterwards we went up stairs, and I told Baba all about the chittee, and showed it to him; he then said, "How can I say that this chittee is correct, as I know not the handwriting of Tambeykur." I replied that he could show the chit to anybody he liked, and that I was ready to give my answer anywhere he chose. Baba then said it was useless merely to say so; but that if I would give it in writing, as also the original chit and its copy, in my own hand, he would take them, otherwise he had no need of them. On this I gave Baba the original chittee, as also a copy of it, and a writing in my own hand. The above are the circumstances, and the Sahib will know the whole when an inquiry is made on the subject.

Question. Did you inform the Mahraj of what you have above deposed?—*Answer.* If I informed the Mahraj of it, he would that moment tell Bhow Sahib of it, and the latter, being a great karbarry, and having all the control in his hand, he would, the moment he heard of it, have killed me.

How long did you keep this chittee?—I kept it for a year and a half, or $1\frac{1}{2}$ years, and gave it to Baba Fudkey in last Chytremas (April).

What was your object in giving this chittee to Baba Fudkey?—I have stated above, that Bhow Sahib and others brought false charges against Baba Fudkey, and imprisoned him, and I considered that Bhow Sahib, &c. were caballing and falsely accusing Baba Fudkey; and as the chittee I had was in the handwriting of Bhow Sahib, I should give it to Baba as it would be of use to him. And accordingly I gave it to him.

Why did you keep the chittee with you, and not give it to Appa Sahib?—My reason for not giving the chittee to Appa Sahib was, that I was not aware of what was in his mind, and therefore through fear I kept it by me, and did not give it to any one.

As you kept this chittee for $1\frac{1}{2}$ year, why did you not give it to Baba before?—I kept the chittee so long because I thought if the Maharaj knew of it he would kill me, consequently I kept it by me without giving it to any one, but after considering it as above stated, I gave it to Baba.

If you were afraid of the Maharaj you would have destroyed the chittee; not having done this, why did you keep it?—It is customary amongst us Deccannees to think that such a document as this might be of use some time or other, and by destroying it, what good would it be? I therefore kept it by me.

Since when have you been acquainted with Baba Fudkey?—I have known Baba Fudkey from the time he was in the Rewa Kanta. I was employed at Bhow Sahib's, and he and Baba were friends, and on business I have gone to him, but since Baba built his house and he and Bhow Sahib fell out, I never went to Baba's place until in Chytremas (April), when I went with Succaram Bawah; even if I went, he, knowing me to be the Bhow's servant, would not have admitted me, neither would he place any trust in me.

From what time have you known Succaram Bawah to induce you to place such confidence in him, and give the chit to Baba Fudkey?—I have been acquainted with Succaram for the last 15 years, and I have full trust in him, therefore I gave the chittee to Baba through him.

(signed) *Umrut Row Bulvunt,*
(By himself).

(True translations.)

(signed) *M. Battye, Assistant Resident.*

No. 3.

TRANSLATION of the Deposition on Oath of Succaram Suddasew, Duccanee Purbhoo; Profession, Carcoon; aged 50 years; residing now in the Camp of Baroda; made before the Resident on the 21st September 1851.

Question. Do you know Umroot Row Bulvunt?—*Answer.* Yes; and I am friendly with him.

For how long have you known him, and for how long been on friendly terms with him?—About 14 or 15 years.

Do you know Baba Fudkey, and are you friendly with him; if so, state for how long you have been intimate?—My forefathers and those of Baba Fudkey were friends from the time they were in the Deccan, and I also am on friendly terms with Baba Fudkey.

Did Umroot Row Bulvunt give Baba Fudkey any chit through you; if so, what were the circumstances under which the chit was given, and in what year and in what month was it given?—About last Falgoon-mas (March 1851), Umroot Row Oorf Nama came to me one day, asked me to introduce him to Baba Fudkey; I replied, that as he was a carcoon of Bhow Tambeykur's, and like his son in the family, I cannot understand with what object he had come to me; that if he came to cabal, it is not my business to interfere in the matter. That when Baba Fudkey was employed in the Rewa Kanta, he used to visit him on the part of Bhow Sahib, and I felt a doubt therefore of the propriety of acceding to his request to introduce him to that person; that as this was not my business I begged him to go, so he went away. He then continued to come to me for about a month or a month and a half, and said that he had got a document in his possession which he wished to show Baba, for that both the document and himself would be of use to Baba, because in two instances Bhow Tambeykur, without any reason, brought false charges against Baba, but that he had a document in his possession to show that he (Bhow Tambeykur) himself is an intriguing person. I told him to show me the document, and to make me acquainted with the matter. On this he went and brought me the document in question; after seeing it I returned it to him, but I told him that after seeing the Baba, I would give an answer. When I went to Baba the next day, I told him all that Umroot Row had told me. Baba got angry with me; and said, that as Umroot Row belongs to Bhow Tambeykur's house, who knows but Bhow Tambeykur may have set a snare for him, and therefore he would not wish to interfere in the matter. I then returned to my place; Umroot Row afterwards came to me, and reiterated his request to introduce him to Baba, but I refused; he, however, kept teasing me, I then told him that I had no trust in him; he then took an oath before me. On this I told him that I would go to the Baba next day, and for him to come there. The next morning I went to Baba. It was about seven o'clock that Umroot Row came and made his salam to Baba, while he and I were sitting in his cutcherry. Baba on this got angry; I then told him that this is the person whom I mentioned to him before, and that I had satisfied myself as to the honesty of his intentions. Baba then said, "I know him (Umroot Row); I am not a stranger to him, and if he will take his oath and satisfy me, I shall listen to what he has got to say." Afterwards Umroot Row agreed to take an oath, and he went down stairs, and as there was a cow in the house, he put his hand on her back, and took an oath. We then went and sat in the back part of the house, and Baba listened to all that Umroot Row had to say, and Baba took a writing from him of all that he (Umroot Row) had to represent. Baba also got him to make a copy of the original chittee, this copy with the original chittee, and a writing passed by Umroot Row, Baba took from him. This took place about last Chytree-mas (April 1851). After this Umroot Row went to his house, and I returned to mine shortly after.

Baba has produced with his petition the original writing passed to him by Umroot Row, as also the copy of the original chit, these are shown to you, and you are desired to state whether this is the same writing which Umroot Row passed to the Baba in your presence, and whether the copy of the chittee is exactly the same as an original, or how?—Having seen the chittee and the writing, I have to state that the copy of the chittee given to Baba is the same that Umroot Row copied from the original in my presence, and the writing is the same which Umroot Row passed to Baba with his own hand.

After the above occurrence, do you know what transpired?—I know so much that this Umroot Row left Baroda, and has come to reside in camp.

Did any one instigate you to depose as above stated?—I have, on my oath, stated truly all that occurred, and not at the instigation of any person.

(signed) *Succaram Suddasew,*
(By himself).

(True translation.)

(signed) M. Battye, Assistant Resident.

(True extract.)

(signed) A. Malet, Chief Secretary.

— No. 25.—

MINUTE by the Right Honourable the Governor, concurred in by the Board.

I WOULD allow this to remain undisposed of for the present; it is probable we shall have to address Colonel Outram's successor on this subject.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

1 December 1851.

(True extract.)

(signed) A. Malet, Chief Secretary.

23.

Collection No. 1 of No. 19, Bombay Political Department ;
Letter from, dated 17 February 1852.

NURSOO PUNT.

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30.	Chief Secretary	Resident, Baroda -	- - In reply to his Letter, No. 207 A, dated the 7th September.	1851 : Jan. 2 1.	Jan. 8 8.	988
31.	Resident, Baroda	Chief Secretary -	- - Forwards a Statement of Facts relative to Nursoo Punt.	April 10 61	1852 : Jan. 21 503.	988
32.	Minute by the Hon. Mr. Willoughby, concurred in by the Honourable Mr. Blane		-	April 18	Jan. 21 504.	989
33.	Minute by the Right honourable the		Governor, concurred in by the Honourable Messrs. Blane and Bell.	May 10	Jan. 21 504 A.	989
34.	Chief Secretary	Resident, Baroda -	- - In reply to his Letter, dated the 10th April, No. 61.	May 12	Jan. 21 504 B.	989
35.	Resident, Baroda	Chief Secretary -	Relative to the Conduct of Nursoo Punt -	May 13	Jan. 21 504 C.	989
36.	Minute by the Right honourable the		Governor - - - - -	May 15	Jan. 21 504 D.	990
37.	Minute by the Honourable Mr. Blane		- - - - -	May 15	Jan. 21 504 E.	991
38.	Minute by the Honourable Mr. Bell		- - - - -	May 15	Jan. 21 504 F.	991
39.	Further Minute by the Right honourable the		Governor, concurred in by the Honourable Messrs. Blane and Bell.	May 15	Jan. 21 504 G.	991
40.	Further Minute by the Right honourable the		Governor, concurred in by the Honourable Messrs. Blane and Bell.	May 16	Jan. 21 504 H.	991

No.	From.	To.	SUBJECT.	Date and Number of Document.	Date and Number of Consultation.	Page.
41.	Chief Secretary	W. E. Frere, Esq.	- - Informs him, that Government has appointed him a Commissioner to inquire into certain Charges brought against the late Native Agent at Baroda, and requests he will proceed to that place.	1851: May 16 165.	1852: Jan. 21 504 I.	992
42.	Chief Secretary	Acting Collector, Ahmedabad.	- - Informs him to the above effect, and requests him to send Nursoo Luximon to Baroda.	May 16 166.	Jan. 21 504 J.	993
43.	Chief Secretary	Resident, Baroda -	- - Informs him to the above effect, and requests him to report whether he is prepared to act as Prosecutor.	May 16 167.	Jan. 21 504 K.	993
44.	Chief Secretary	Resident, Baroda	- - Relative to the Charge brought against Nursoo Punt.	May 16 168.	Jan. 21 504 L.	994
45.	Resident, Baroda	Chief Secretary -	- - In reply to the Government Letter, No. 167, dated 16 May.	May 17	Jan. 21 504 M.	994
46.	Minute by the	Right honourable the	Governor, concurred in by the Honourable Messrs. Blane and Bell.	May 17	Jan. 21 504 N.	994
47.	Chief Secretary	Resident, Baroda	- - Informs him that he is appointed Prosecutor in the before-mentioned case.	May 17 170.	Jan. 21 504 O.	995
48.	Resident, Baroda	Chief Secretary -	- - In reply to the Government Letter, No. 168, dated 16th May.	May 17	Jan. 21 504 P.	995
49.	Minute by the	Right honourable the	Governor, concurred in by the Honourable Messrs. Blane and Bell.	May 17	Jan. 21 504 Q.	995
50.	Chief Secretary	Resident, Baroda	- - Acknowledging his Letter of the 17th May, relative to the Inquiry into the Conduct of Nursoo Punt.	May 17 172.	Jan. 21 504 R.	996
51.	W. E. Frere, Esq.	Chief Secretary -	- - In reply to the Government Letter, No. 165, dated the 16th May.	May 19	Jan. 21 504 S.	996
52.	Minute by the	Right honourable the	Governor, concurred in by the Honourable Messrs. Blane and Bell.	May 21	Jan. 21 504 T.	997
53.	Secretary to Government.	W. E. Frere, Esq.	- - In reply to the second Paragraph of his Letter, dated the 19th May.	May 23 177.	Jan. 21 504 V.	997
54.	Minute by the	Right honourable the	Governor, concurred in by the Honourable Messrs. Blane and Bell.	May 21	Jan. 21 504 U.	998
55.	Secretary to Government.	Lieut. J. T. Jameson, 28th Regiment, N. I.	- - Informs him that he is appointed Assistant to Mr. W. E. Frere, the Special Commissioner at Baroda.	May 27 179.	Jan. 21 504 W.	998
56.	Acting Collector, Ahmedabad.	Chief Secretary -	- - States that he has directed his Dufterdar, Nursoo Luximon, to proceed to Baroda.	May 22 168.	Jan. 21 504 X.	998
57.	Minute by the	Honourable Mr. Blane, concurred in by the Honourable Mr. Bell -		May 30	Jan. 21 504 Y.	999
58.	Secretary to Government.	W. E. Frere, Esq.	- - Transmits, for his Information, Copy of the Letter for the Acting Collector, Ahmedabad, No. 168, dated 22d May.	May 31 183.	Jan. 21 504 Z.	999
59.	Resolution,—Copy of the	Government	Letter, No. 166, dated 16th May, transferred to the Revenue Department.	June 11 201.	Jan. 21 504 Z A.	999
60.	Petition, addressed to the	Right honourable the	Governor in Council from Nursoo Luximon, relative to the investigation to be carried on by Mr. Frere at Baroda.	June 1	Jan. 21 504 A A.	999
61.	Minute by the	Right honourable the	Governor, concurred in by the Honourable Messrs. Blane and Bell.	June 14	Jan. 21 504 B B.	1001

No.	From.	To.	SUBJECT.	Date and Number of Document.	Date and Number of Consultation.	Page.
62.	Chief Secretary	W. E. Frere, Esq.	-- Transmits copy of the Petition from Nursoo Luximon.	1851 : June 16 202.	1852 : Jan. 21 504 C. C.	1001
63.	W. E. Frere, Esq.	Chief Secretary	-- Relative to the performance of the duties of his office as Agent to the Right honourable the Governor at Surat.	June 9	Jan. 21 504 D. D.	1001
64.	Minute by the	Right honourable the	Governor, concurred in by the Honourable Messrs. Blane and Bell.	June 17	Jan. 21 504 F. F.	1002
65.	Chief Secretary	W. E. Frere, Esq.	In reply to his Letter, dated 9 June - -	June 27 219.	Jan. 21 504 G. G.	1002
66.	W. E. Frere, Esq.	Chief Secretary	-- States the day in which he will commence proceedings at Baroda. Recorded.	June 9	Jan. 21 504 H. H.	1002
67.	Resolution,—The Judicial Department informed that Mr. W. E. Frere has been deputed to Baroda on special duty.			July 2 227.	Jan 21 504 I. I.	1002
68.	Memorandum by the Deputy Secretary to Government, in charge of Persian Department. Forwards a Khareeta to the address of his Highness the Gaekwar. Recorded.			July 2	Jan. 21 504 J. J.	1003
69.	Audit on an Abstract of Pay due to the Establishment entertained by Mr. W. E. Frere, employed on special duty.			July 10 245.	Jan. 21 504 K. K.	1003
70.	Minute by the	Right honourable the	Governor, concurred in by the Honourable Messrs. Blane and Bell.	July 15	Jan. 21 504 L. L.	1004
71.	Resident, Baroda	Chief Secretary	-- Forwards Documents relative to the Special Commission sitting at Baroda.	June 27	Jan. 21 504 M. M.	1004
72.	Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell -			July 2	Jan. 21 504 N. N.	1006
73.	Minute by the Right honourable the Governor - - - - -			July 18	Jan. 21 504 O. O.	1006
74.	Chief Secretary	Resident, Baroda	In reply to his Letter of the 27th June - -	July 2 228.	Jan. 21 504 P. P.	1006
75.	Resolution,—Transfer to the Persian Department - - - - -			July 2 230.	Jan. 21 504 Q. Q.	1007
76.	Translation of a Letter from the Honourable D. A. Blane to his Highness the Gaekwar.			July 2	Jan. 21 504 R. R.	1007
77.	Chief Secretary	Resident, Baroda	-- Transmits a Khareeta to the address of his Highness the Gaekwar, with an English version, for his information.	July 2 231.	Jan. 21 504 S. S.	1007
78.	Resident, Baroda	Chief Secretary	-- Forwards a Reply to the Khareeta from his Highness the Gaekwar. Recorded.	July 22 143.	Jan. 21 504 T. T.	1008
79.	Resident, Baroda	Chief Secretary	-- In connexion with the Inquiry into the Conduct of Nursoo Punt.	July 26	Jan. 21 504 V. V.	1008
80.	Memorandum by the Chief Secretary - - - - -			Aug. 1	Jan. 21 504 U. U.	1008
81.	Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell -			Aug. 2	Jan. 21 504 W. W.	1009
82.	Chief Secretary	Resident, Baroda	In reply to his Letter of the 26th July - -	Aug. 4 269.	Jan. 21 504 X. X.	1009

Bombay Castle, }
17 February 1852. }

(signed) A. Malet,
Chief Secretary.

—No. 1.—

No. 232 of 1843.—Political Department.

From the Political Commissioner for Guzerat and Resident at Baroda, to *J. P. Willoughby*, Esq., Secretary to the Government of Bombay.

Sir,

I HAVE the honour to report for the information of his Honour in Council, that Nursoo Punt, dufterdar of the Revenue Commissioner, Mr. Pringle, has applied to me for the situation of native agent in this residency. I beg to state that I have no objection to the appointment if his Honour in Council is pleased to nominate this individual.

I have, &c.

Baroda Residency,
4 December 1843.

(signed) *W. S. Boyd*,
Political Commissioner.

—No. 2.—

MINUTE by the Honourable the Governor, concurred in by the Board
(without date).

GOVERNMENT have no objection to his accepting the appointment on the salary of the appointment.

(signed) *G. Arthur.*
J. M^cMahon.
G. W. Anderson.
J. H. Crawford.

—No. 3.—

No. 3,159 of 1843.—Political Department.

From *J. P. Willoughby*, Esquire, Secretary to the Government of Bombay, to
W. S. Boyd, Esquire, Political Commissioner for Guzerat and Resident at Baroda.

Sir,

IN reply to your letter No. 232, dated the 4th instant, I am directed to inform you that the Honourable the Governor in Council is not aware of any objection to Nursoo Punt accepting the appointment of native agent to the Baroda residency on the salary of that situation.

I have, &c.

Bombay Castle,
14 December 1843.

(signed) *J. P. Willoughby*,
Secretary to Government.

—No. 4.—

Persian Department.

SUBSTANCE of a Petition from Shah Munguldass Ramdass, Inhabitant of Baroda, to the Honourable the Governor in Council, dated 15th, and received 21st March 1844.

HAVING learned that Nursoba, the dufterdar of the Revenue Commissioner, is to be appointed native agent at Baroda, I beg to state that it is not proper
to

to confer the situation on him. When Lord Clare visited Baroda, Nursoba accompanied his Lordship; and when a settlement was concluded between the British and the Gaekwar Governments, he, Nursoba, misrepresented matters to the Sahebs, and ruined the persons connected with the British Government. Your Excellency in Council is well aware that no benefit has been derived by Government from the settlement in question; I further beg to state, that Baba Napudd, agent of Hurreebhucktee and Gunesh Punt, furnavees of the Gaekwar, who have incurred the displeasure of Government by their misconduct, as also Dado Punt, who has been deprived of his office of native agent on account of misconduct, and who has been, through the instrumentality of Bappojee Annut Hurguriya, employed to manage Gopal Rao Myral's firm at Baroda, and several others, are relations and caste fellows of Nursoba; Bappojee Hurguriya and Asheram, karbharees of the Gaekwar, are also friends of Nursoba. Nursoba induced Asheram to give up his wish to serve the British Government, and has got him employed under the Gaekwar government: owing to this friendship, Nursoba has been for a long time trying to get the appointment of native agent. The persons who are connected with the British Government, and whose duty is to give proper advice to the Gaekwar, are very bad men. As the Gaekwar is timid and avaricious, and as these people mislead his Highness, by creating vain hopes in his mind, the British Government is put to trouble. When Nursoba is appointed native agent, the trouble will be increased. This has been written for the information of your Excellency in Council.

(signed) *W. Escombe,*
Secretary to Government.

— No. 5. —

No. 1,338 of 1844.—Political Department.

THIS petition is referred for the report of the First Assistant in charge of the office of the Political Commissioner for Guzerat, and Resident at Baroda.

Bombay Castle, 26 April 1844.

(signed) *J. P. Willoughby,*
Chief Secretary.

— No. 6. —

THE following Report is respectfully submitted for the information of Government:

Nursoo Punt, late dufturdar on the establishment of the Revenue Commissioner for the northern division, has been appointed to the office of native agent at the Baroda Residency, and the object of petitioner is to show cause why he should not be allowed to succeed to that situation.

It is true, as stated by the petitioner, that Nursoo Punt accompanied the suite of Lord Clare during his visit to Baroda in 1831 and 1832, being attached to the office of Mr. Williamson, the secretary in attendance on the Right honourable the Governor. As far as I can learn, no petitions were presented to Government in respect to decisions passed on the claims of individuals, in which complaint was made of the conduct of Nursoo Punt, and it is rather late in the day to commence them now.

With regard to Nursoo Punt's relationship with persons about the Durbar, my information is as follows:

One of Nursoo's daughters married the son of Venaik Punt, a man who was one time head carcoon of the Phurnuveese, but subsequently dismissed for alleged or proved misconduct. It is said that on Nursoo's visit to Baroda in the year 1838, he procured his release from confinement, in which he had been placed by order of his Highness. He (Venaick Punt) has lately been appointed kamdar at Ookamundel, in the room of Wamun Rao Wittul, respecting whose

conduct I had the honour to receive the instructions of Government conveyed in your letter of the 6th February last, No. 415. A second daughter of Nursoo is said to have married a nephew of Venaick Punt; his sister-in-law married into the family of Baba Nafra, and his own sister has contracted an alliance with Dadoo Punt, in the service of Gopal Rao Myral.

Assaram and the others mentioned in the petition are said to be mere acquaintances of Nursoo.

I should observe that Shah Munguldass Ramdass is a fictitious person, and that under this name other petitions have been forwarded to Government.

Baroda Residency, 1 May 1844.

(signed) *A. Remington*,
First Assistant Political Commissioner in charge.

— No. 7. —

MINUTE by the Honourable the Governor, concurred in by the Board.

I OBSERVE that Nursoo Punt is connected with persons who were implicated in the case of D. Dadajee.

It is to be regretted that Mr. Boyd did not ascertain and report this when he recommended him to be his native agent.

Considering, however, the high character and respectability of Nursoo Punt, I do not think his connexion with these persons should be held to be a disqualification for the situation, though Mr. Boyd must take care that the orders already issued for their exclusion from the Residency are strictly attended to.

The above observations should be communicated to the Political Commissioner for Guzerat.

(signed) *G. Arthur*,
J. H. Crawford,
L. R. Reid.

24 May 1844.

— No. 8. —

No. 1,746 of 1844.—Political Department.

From *E. H. Townsend*, Esq., Secretary to Government, in charge of the Political Department, Bombay, to *A. Remington*, Esq., First Assistant to the Political Commissioner for Guzerat, and Resident at Baroda in charge.

Sir,

I AM directed to acknowledge the receipt of your report, dated the 1st instant, on the representation from "Shah Munguldass Ramdass," dated the 15th of March last, connected with the appointment of "Nursoo Punt" to the office of native agent to the Baroda Residency.

2. From your report it appears that Nursoo Punt is connected by family ties with persons who were implicated in the frauds recently practised by Dhaekjee Dadajee and others on his Highness the Gaekwar; and the Honourable the Governor in Council regrets that Mr. Boyd did not ascertain this fact before he recommended the appointment of Nursoo Punt to the above situation, and have specially brought the circumstance to the notice of Government.

3. Taking into consideration, however, the high character and respectability of Nursoo Punt, the Governor in Council is not disposed to cancel that person's appointment as native agent to the Baroda Residency; but I am instructed to request that care be taken that the orders of Government of the 13th July 1843, and the 10th January last, directing the exclusion from the Residency of the persons therein mentioned, be strictly attended to.

I have, &c.

(signed) *E. H. Townsend*,
Secretary to Government,
in charge Political Department.

Bombay Castle, 20 May 1844.

— No. 9. —

From the Resident at Baroda to *Arthur Malet*, Esq., Chief Secretary to
Government, Bombay.

No. 505.—Secret
Department.

Sir,

IN a letter dated the 12th instant, which reached me on the night of the 13th, Mr. Andrews brought to my knowledge the fact that my native agent, Soorujram Gungaram, had at one period of his life undergone an imprisonment of 3 (5) years, with hard labour, in the Kaira jail. Early next morning I sent for Soorujram, and asked him if such was the case: with evident shame, but without hesitation, he confessed, that 36 years ago, when 14 years of age, he had undergone such a sentence on a charge of receiving stolen goods; but he solemnly assured me that he had been victimized on the occasion by the real culprit, and advanced in evidence that such was the opinion of the gentlemen at Kaira, where the trial took place—the fact that, after his release, he had been permitted to practise as a vakeel in the Adawlut of that place for 15 years.

After the expiring of this period of Adawlut practice, he obtained an appointment in the Myhee Caunta, and he has, in the discharge of all the duties confided to him, invariably acquitted himself to the entire satisfaction of his superiors. Captain Wallace, Mr. Spens, Mr. Bettington, and others, have highly eulogised his conduct, in testimonials which I had the honour to transmit to Government when applying for permission to engage his services; and Major Lang's high opinion of him is sufficiently shown by the fact of that officer's having appointed him to the management of the Edur Principality during the minority of the Rajah.

Yet, notwithstanding the youth of Soorujram at the period of his imprisonment, notwithstanding his long subsequent career of untarnished reputation, and official usefulness, I should not have thought of employing him in his present office, had I been aware of the passage in his early life, brought to my notice by Mr. Andrews; for I consider that in selecting natives for employment in a Government office, whether judicial or political, choice should be made of those who not only enjoy present unblemished character, but can boast of untarnished antecedents.

And such being my views, I deem it my duty to submit to the Right honourable the Governor in Council the facts brought to my knowledge by Mr. Andrews, and to obtain his Honour's decision as to whether it is proper that Soorujram should be permitted to retain his present appointment.

Should it be deemed expedient to relieve him of his present duties, I have to express a hope that the Honourable Board will consider it an act of justice to replace Soorujram in some position, in the general service of Government, similar to that which he vacated on coming to Baroda, if indeed he may not be considered to deserve advancement. For by the services he has rendered me in exposing the recent criminal acts of Baba Nafra, and by making known to me the bribe offered to him by that individual, he has, I think, eminently entitled himself to some special mark of favour. These services have indirectly tended to shake the popular belief in the efficacy of khutput, and by so doing, have, I conceive, laid Government under great obligations; but they have at the same time raised against him such a host of cunning, implacable and unscrupulous enemies, that, in dread of being again victimised, he applied to me many days ago for permission to retire from office. This application was made upwards of a week before I had become aware of his ever having been the inmate of a jail; and it was founded on the apprehensions created in his mind by the intrigues and secret cabals of the Sheristedar of the Surat Adawlut, whom Mr. Andrews dispatched to Baroda with instructions not communicated to me, and whose proceeding while here it will be my duty ere long to bring prominently to the notice of Government.

Soorujram, I may mention, was only reconciled to the retention of his post by my permitting Mr. Battye to take an inventory of his property, with a view to protect himself in some degree against the machinations he dreads.

I take the liberty to send this in the Secret Department; for were it known that the removal of the native agent was an event likely to occur, it would encourage his enemies in their cabals against him; and should such a step not be

deemed necessary, it is advisable that it should not become known that I had ever contemplated it.

I have, &c.

(signed) *J. Outram,*
Resident.

Baroda, 15 October 1850.

— No. 10. —

No. 506.

MINUTE by the Right honourable the Governor.

UNDER all the circumstances detailed in Lieutenant-colonel Outram's letter, I should regret extremely were his native agent now to be dismissed from his post; and I hope that my colleagues may take the same view as myself of this extraordinary case.

23 October 1850.

(signed) *Falkland.*

— No. 11. —

No. 507.

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Right honourable the Governor.

I ENTIRELY CONCUR in opinion with the Right honourable the Governor. The circumstance mentioned by Lieutenant-colonel Outram is, no doubt, to be regretted; but whatever degree of guilt may have attached to his native agent, he appears to have amply redeemed his character, by a long course of able and meritorious service. His removal, moreover, at the present moment would have a very prejudicial effect on the inquiries now in progress at Baroda: it would encourage the dishonest and corrupt, and produce the opposite effect on those who are aiding our Resident in the detection of corruption, among whom is his present native agent.

27 October 1850.

(signed) *J. P. Willoughby.*
Falkland.

— No. 12. —

No. 508.

MINUTE by the Honourable Mr. *Blane*, concurred in by the Right honourable the Governor.

I SEE no necessity to take any notice of an event of such old date.

27 October 1850.

(signed) *D. A. Blane.*
Falkland.

— No. 13. —

No. 509.

FURTHER MINUTE by the Right honourable the Governor.

ORDERS to be issued accordingly.

30 October 1850.

(signed) *Falkland.*

— No. 14. —

No. 510.

No. 213 of 1850.—Secret Department.

From *A. Malet*, Esquire, Chief Secretary to Government, Bombay, to Lieutenant-colonel *Outram*, C.B., Resident at Baroda.

Sir,

I AM directed to acknowledge the receipt of your letter in the Secret Department, dated 15th ultimo, reporting the fact which had then, for the first time, been brought to your knowledge, that your native agent, Soorujram Gungaram, had,

had, at an early period of his life, undergone an imprisonment, with hard labour, in the Kaira jail, for a period of five or three years, and requesting the orders of Government relative to his retention in his present appointment.

In reply, I am instructed to inform you, that, under the circumstances connected with his subsequent career, which you have brought to notice, and taking into consideration the prejudicial effect which his removal would probably have on the inquiries now in progress at Baroda, the Right honourable the Governor in Council does not deem it advisable to take notice of a fact which occurred so many years back, and which Soorujram has since redeemed, by a long course of able and meritorious services.

I have, &c.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 1 November 1850.

— No. 15. —

No. 257 of 1850.

From Lieutenant-colonel *J. Outram*, C.B., Resident at Baroda, to *Arthur Malet*, Esq.,
Chief Secretary to Government, Bombay. Political Department.

Sir,

WITH reference to my letter in the Secret Department, dated 15th instant, communicating certain circumstances connected with the early career of my native agent, Soorujram Gungaram, which had been brought to my notice by Mr. Andrews, I have the honour to inform you, that, as he did not possess a certificate from Major Lang, under whom Soorujram had long served, I requested that gentleman to acquaint me with his opinion of that person.

2. In reply, dated 22d instant, Major Lang has forwarded a certificate for Soorujram, of which a copy is annexed, and in doing so he has expressed the following very high opinion of the officer referred to, which, although written in the form of a private letter, I think I may take the liberty of begging that, in justice to the native agent, you will have the goodness to communicate to the Right honourable the Governor in Council:

"I have very great pleasure in sending you this certificate for Soorujram, as there was no man I left in the Myhee Caunta of whom I had a higher opinion. I heard of his having been tried for some offence with one of the Neriad Dessais, I think, but I quite forget the particulars. * * * Being an old story, and having found him in responsible employment afterwards, of which he acquitted himself so well, I should never have thought of inquiry into it, even if it had been brought forward as a reason for mistrusting him, but it never came before me in this way. When I first became acquainted with Soorujram, or soon afterwards, there were some bribery complaints against Mahdoo Lall, which he was also accused of being slightly implicated in; but nothing was proved. Considering Soorujram a very valuable man in the situation he occupied, I used to take every opportunity that offered to give him good advice against the besetting sin of all our native employés; and I was struck with the candour with which he admitted the sad prevalence of this evil, and with the manner in which he spoke of the higher native servants in the revenue and judicial lines in Guzerat, who were admitted even among their own countrymen to be strictly honest men. I had frequent conversations with Soorujram after I appointed him to Edur, on the same subject, and I formed a very strong impression, that whatever he might have been in early life, he had latterly, at least, become ambitious of having a good character with us for strict integrity, and had sufficient strength of mind to resist every temptation to which he may have been exposed; and this impression was greatly strengthened by the fact, that although there were sundry parties likely to have found every fault they could with him when at Edur, I never heard a single complaint (as far as my memory serves me), or even a suspicion raised against him all the time he was employed there; and I was delighted to find that Wallace continued to have the same opinion of him."

I have, &c.

(signed) *J. Outram*,
Resident.

Baroda Residency, 28 October 1850.

THIS is to certify, that Soorujram Gungaram served under me in the Mahee Kanta, from December 1838 to February 1841, as attachment Mehta of Amlyara; and from the last-mentioned date till I left in April 1846, in charge of the Edur attachment, where he remained till the middle of 1849, I always deemed him most attentive and zealous in the performance of his duties, and formed a very high opinion of him from the energy and trustworthiness he displayed in the management and improvement of the Edur Talooka. It was therefore with sincere gratification that I heard of his having been selected, first, for the Ahmedabad City Foujdarship, and afterwards for the Dufterdarship of the Baroda Residency; and I am very sanguine that he will continue throughout the remainder of his services to evince a proper sense of the consideration and promotion his excellent qualifications have obtained for him by showing himself worthy of whatever trust may be reposed in him.

Rajcoke, 22 October 1850.

(signed) W. Lang,
Late Political Agent, Mahee Caunta.

(True copy.)

(signed) M. Battye,
Assistant Resident.

— No. 16. —

No. 229 of 1850.—Secret Department.

From *H. E. Goldsmid*, Esq., Secretary to Government, Bombay, to Lieut.-colonel *J. Outram*, c.b., Resident at Baroda.

Sir,

I AM directed to acknowledge the receipt of your letter, No. 257, dated the 28th ult., submitting copy of a certificate which has been granted by Major Lang to Soorujram Gungaram, your native agent, with an extract from that officer's letter to your address regarding this person, and to inform you, that the Right honourable the Governor in Council considers the same to be satisfactory.

I have, &c.
(signed) *H. E. Goldsmid*,
Bombay Castle, 18 November 1850. Secretary.

— No. 17. —

No. 207 B. of 1850.

From Lieut.-colonel *Outram*, c.b., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay

Sir,

Baroda, 7 September 1850.

1. I HAVE the honour to hand up, for the information of the Right honourable the Governor in Council, and such notice as his Lordship may deem them deserving of, translations of depositions taken before me (appended, marked (J.) and (H.)), which prove that Nursoo Luximon, late Residency native agent, had been in the habit of taking most unwarrantable liberties with the name of a late member of Council.

2. The Appendix (J.) comprises examinations taken in consequence of the author of a petition, purporting to be written by one Venayk Dhoondée Ubhy-sunker, which was transmitted to the late acting Resident, with your letter No. 60, dated 4th January 1849, having come forward to avow the authorship, and to offer to substantiate all that is therein advanced.

3. From the circumstance of this person, Jeyrow Hyputrow, having appended a fictitious name to his petition, bearing a notoriously bad character, and even avowing enmity to the late native agent, I should not have regarded the representations in his petition as worthy of a moment's consideration, had not they been borne out to a considerable extent by the evidence of the four persons who were present on the occasion of the dispute therein referred to, with whom it does not appear possible he could have collusion, and had I not other causes for believing that most of what he has since advanced is susceptible of proof.

4. Appendix (H.) is a memorandum of my proceedings in an inquiry into the cause and object of the mission to Bombay in July 1848, of an agent of Baba Nafra, the

the monim goomashta of Hurree Bucktee's firm, who is proved in evidence to have been deputed, at the instigation of Nursoo Punt, charged to communicate with Mr. Reid, and authorized to draw on the firm for any sums that might be required for purposes of bribery. And it will be seen from the evidence, that there is much ground for believing that large sums were expended by him in this manner. Evidence being very strong against a Mr. Craig, clerk in the Secretary's office, who is represented to have received on one occasion 2,000 rupees, and on another 12,000 and 200 rupees, and who also appears to have shamefully misused Mr. Reid's name on the occasion.

I have, &c.

(signed) *J. Outram,*
Resident.

(J.)

Persian Department.

SUBSTANCE of a Petition from Venayk Dhondeo Ubheyshunker, residing at Baroda, to the Right honourable the Governor in Council, without date, and received 25 November 1848.

NURSOO LUXMON, the native agent of the Baroda Residency, having received bribes from some parties who had cases pending before the Resident, misrepresented matters to him, and has completely ruined the opposite parties, although their complaints were just: he acted improperly in various other ways, and has acquired lacs of rupees. About two months ago, when Colonel Outram discovered some of his treacherous acts, he being afraid that all his frauds should come to light, and prove his ruin, begged pardon, and applied for pension. This rejoiced all the people of Baroda, excepting a few, who used to give him bribes; and get him to do their business: however, he now openly says, "I have the support of Mr. Reid, the councillor; I have forwarded to him a petition, together with a memorandum of Kulumbundee; as my friendship with him is of a secret nature, he will protect me from the consequences of any crime: even Outram's father cannot injure me: what can others do, then? I shall apply for pension whenever I like: no one has read the further representation of the parties whom I have injured. Although the charge of murder was proved against Baba Nafra, karbaree of Hurree Bucktee, I did not allow even a hair of his body to be injured; on the contrary, I have made the widow of Hurree Bucktee go about begging; in like manner I will ruin the persons who have been rejoiced by the hope of my leaving (this situation). Gunesh Punt Azay and Baba Nafra are my relations, and consequently I have full means (to work) with the Gaekwar government; therefore I am not afraid of anything. I shall spend as much money as may be necessary to secure the assistance of European gentlemen at Bombay, and shall continue to hold this situation." These boastings of his have frightened the people; feeling for the poor people, I have addressed this petition to Government. Although the cases of the poor people of Baroda were just, they have suffered (a) great deal at his hands: I therefore request Government to be pleased to remove this fraudulent native agent from this situation. I am fully confident Mr. Reid will not stain his character for uprightness, known throughout India, by supporting such (a) corrupt man. I beg to assure Government that if this native agent be suspended from office, and an inquiry instituted, his fraudulent and corrupt conduct will be proved. He gave up the office of Dufterdar to the Revenue Commissioner, where he received 500 rupees per month, and has come here on a salary of 300 rupees. He suffers a great deal from ill health, but still he will not resign this situation; I beg Government to take this point into consideration.

(signed) *C. J. Erskine,*
Deputy Secretary to Government.

(True copy.)

(signed) *A. Malet,*
Chief Secretary.

TRANSLATE of the Deposition, on oath, of Jeyrow Hybutrow, inhabitant of Baroda, before the Resident, dated 11 July 1850.

Question. Do you know anything about this Mahratta petition (showing the document), which was presented to the Bombay Government, and has been sent here, signed by one Venayk Dhondeo?—*Answer.* This petition was sent by me, and my name is Jeyrow Hybutrow.

Why did you prefer a petition in a feigned name?—I was employed for five years as Phandar, at Jamboogora, from which place Nursoo Punt's son, Kessowrow, and others got me turned out: if I had presented a petition in my own name, they would have persecuted me sadly; if it is the intention of the Sirkar to inquire into the matter, I will attend, and prove all therein asserted.

State what proof you have?—The following is what I have to advance on the subject :

1. In consequence of the connexion of Baba Nafra with Nursoo Punt, the murder of which Baba is guilty has been suppressed; and if the chopras of Hurree Bucktee & Co., from the year 1902 to 1906 (1846 to 1850), are examined, it will be seen that bribery has been going on.

2. A Sowkar of Ahmedabad, by name Hurreelal; had claims against a Sowkar of Poona, named Goliah; the amount was sent to Baroda. Nursoo Punt is interested in behalf of the Poona man, and Hurreelal has not yet been paid; if the Government will institute an inquiry into the case, all will become apparent.

3. In the case of the Puchayet of the Shastrees, Nursoo Punt interested himself in favour of the Bhow's brothers, on which subject the Bhow sent a petition to Bombay, and Mr. Andrews was ordered to inquire into the matter; but this Nursoo Punt managed to evade; if the case is looked into, it will be known.

4. Whatever business is carried on, is arranged in connexion with people of the Dhurbar; consequently persons who have no money, are great sufferers.

5. For the house which Nursoo Punt was building in Ahmedabad, he got the wood through me (then at Jamboogora); carpenters were sent from Sunkaira, by Asharam Purbhoodass, to prepare the wood, and were not paid the full amount to which they were entitled: the wood, when ready, was sent to Baroda, and thence to Ahmedabad; but no duty was paid for it at four different Nakas.

A Government servant having been guilty of such acts, they ought to be inquired into. I have been in the employ of Government for 23 years, 18 of which were served in the Kaira zillah, and five in the Rewa kanta; for the wood which I procured for Nursoo Punt, while at Jamboogora, I took from him the proper price, and paid for it, which was not in accordance with his wishes; by this means, I got into disgrace, and he got his son and others to turn me out of my appointment.

The petition now shown you was sent here to the acting Resident for report; at that time why did you not come to the Residency?—I was not aware of the petition having been sent to the Resident, and nobody asked me anything about it; it was not proclaimed, for I used frequently to go and look at the door (at the chowry of the city), on which all proclamations are stuck, but never saw it: everybody knows where I live in the city.

In the petition you say that Nursoo Punt said that Mr. Reid, the councillor, was a friend of his; that he had sent him a yad of many paragraphs, and that he (Mr. Reid) would take care of him; was there anybody else present when he said this?—There were four persons present, two Banians and two Brahmins, who live in Baroda: if I saw them, I should recognise them.

Where was Nursoo Punt when he said what you have stated?—At his house in Babajee Poora, near Kaka Sahib's warra, at about eight or nine o'clock in the morning.

(H.)

MEMORANDUM, 31 August 1850.

Two or three days after the above examination was taken, I directed the deponent to be again summoned, with the intention of sending him to point out the four persons whom he had represented as being present during his interview with Nursoo Punt. It appeared, however, that he had returned to his village, Borsud (15 cos distant). Not wishing unnecessarily to harass the man, therefore I deferred further inquiry into this matter until I should be about to report on the subject, but directed that if in the interim he came to Baroda, he should be directed to point out the persons alluded to: about a week ago the deponent attended in my cutcherry on some business, when he was told accordingly to produce the witnesses. The result is shown in the following depositions.

TRANSLATION of the Deposition, on oath, of Jeyrow Hybutrow, inhabitant of Bursud, zillah Kaira, now residing in Baroda, made before the Resident at Baroda, on the 31st August 1850.

Question. ABOUT seven days ago, when you came to the "Kutcherry," regarding the giras due to Dama Naik, in Jamboogora, you were directed to produce, without delay, the witnesses mentioned by you in your former deposition, regarding a petition which you formerly made to Government?—*Answer.* When I first gave my deposition in this case I was sick; I therefore went to my house at Barsud, and after having recovered, I returned to Baroda, and attended at the "Cutcherry," regarding the giras of Dama Naik, at which time I was directed to produce the required witnesses. On my return home, having heard that my nephew, Seetaram, was discharged the service, who was tultatee in one of the villages of the Borsud Purgunnah, I proceeded immediately to Borsud, and returned to Baroda on the day before yesterday, for the purpose of finding out the required witnesses; of these, I saw two, whom I followed to ascertain their houses: afterwards I went to these persons, and told them that they were wanted at the Residency, and to follow me; but they would not attend to me, and therefore did not come. Yesterday I came to the "Cutcherry," and informed the native agent, Soorujram, that the witnesses will not come by my calling, and to send a peon with me: on this, the native agent, after informing the Resident, gave me a peon;

peon; I went with the peon and showed him the houses of the two witnesses, viz., one a Brahmin, and the other a Banian; the Banian promised the peon he would come the next day; but the Brahmin came, whom I produced before the Resident; for these reasons so much delay took place.

When you took the peon to the witness's house, did the witness come willingly at the peon's calling, or did he make any objections?—I took the peon to the witness's house, and the peon told him that he is required at the Residency, when he replied, "Why am I required there?" The peon answered that he did not know, but when he came to the Residency he will know the reason of his being sent for. On this the witness came, and he made no objection to do so.

Before the peon was given to you, had you any conversation with the witnesses?—I am not acquainted with the witnesses, nor do I know their names; but by seeing them only could I make them out; I therefore had no conversation with them.

You have stated, that you pointed out the witnesses to the peon; did you both go together, or did you first go and see the witnesses and afterwards take the peon to them?—I and the peon went together, and I at once pointed out the witnesses to the peon, who brought them to the Residency. I did not meet them alone.

On the 11th July you gave your deposition, in which you mentioned four witnesses, viz., two Brahmins and two Banians; of these one Brahmin you have produced, and the other Banian you promise to bring to-morrow; but, of the remaining two, did you find these persons, and when will you bring them?—Of the four witnesses, one has been produced, and one has promised to come to-morrow, but of the remaining two I know the Brahmin by sight; I am going round the city to look for him; but as this is Shrawun month (August) he may have gone to some place or other to worship, therefore I have not yet seen him, but will search for him; as soon as I see him I shall point him out to the peon; I know the other, the Bahnian, by sight, and also found out his house by following him; I have inquired to-day from his neighbour as to where he is gone to, and was told that he is gone to some funeral; if the peon will come with me I shall point out his house to him. These are the circumstances about the remaining witnesses.

TRANSLATION of the Deposition on oath of Azum Morar, inhabitant of Peeran Putton, now residing in Baroda; a Peon on the establishment of the Baroda Residency, made before the Resident on the 31st August 1850.

Question. You were ordered to bring the persons whom Jeyrow Hybutrow should point out to you; how did you bring this witness (Bhow Nurrotum); state all that occurred?—*Answer.* Yesterday afternoon, about four o'clock, I was ordered by Soorujram, native agent, to go to Jeyrow's house in the morning, and to bring the persons he might point out; accordingly this morning, about nine o'clock, after taking my meal, I went to the residence of Jeyrow, which is in the Paga of Lulloobhoy, on "Surseea Tulloo," and desired him to point out the witnesses; on this we went to the Pole of Jugman; from thence we went to Bajwarra, where Jeyrow pointed out to me the house of a Brahmin; we went near it, when a Brahmin appeared, and asked us what we wanted; we replied that he is required at the Residency, when he asked us to name the business on which he is called; I told him that I did not know, but if he came to the Residency he would know it; I then asked him his name, when he said it was Bhow (Nurrotum); afterwards I brought him to the Residency; he did not refuse, or make any objection to come; Jeyrow had no conversation with him. Besides this I know nothing.

TRANSLATION of the Deposition on oath of Bhow Nurrotum, inhabitant of Baroda, in the service of Gopalrow Myral, made before the Resident at Baroda, on the 31st August 1850.

Question. Jeyrow Hybutrow has deposed, that when he went to Nursoo Punt, to make a request about his case, he replied that Mr. Reid, who is in Council, is his protector, therefore no one can do anything to him; this and other improper expressions he made use of, at which time there were three or four persons present, but whose names he does not know; this day he pointed out you as one of the persons present; therefore state whether you were present or not; and if so, what request did Jeyrow Hybutrow make, and what did Nursoo Punt say to him; where was he seated; at what place; and on what day did it occur; state all that you know?—*Answer.* In Kartick Mas of St. 1905 (November 1848), I do not know the day, one morning I left my place to go to Nursoo Punt's house, where I found Nursoo Punt in a room, who was about saying his prayers; Jeyrow was sitting outside of it; two or three others were sitting there also, whose names I do not know; I also went and sat down; Jeyrow then said to Nursoo Punt, as he was going to take his pension, when would he do the business of such poor persons as himself; and that having taken pension he would become one like us; on this Nursoo Punt got in a rage, and said, Outram Sahib wishes me to take my pension, but I will never take it, as I have a protector in the Council in the person of Mr. Reid. What can Outram Sahib or his father do? This and many other improper expressions he used to Jeyrow, and about the Sahib, which I am unable to state, being

being a poor man; Jeyrow then went to his house; afterwards I went to my house; seeing Nursoo Punt in anger I did not mention my case to him, which I intended to have done; the other persons who were present also went away.

When Nursoo Punt made use of the above-mentioned language, where was he living?—In Baroda, in the “Warra” of Kaka Sahib.

On what business did you go there?—I went to him as I wished to take the Pol’s villages on lease.

Jeyrow states that Nursoo Punt at that time stated, that he sent Mr. Reid a memorandum of “Kulumbundee,” and that he is great protector, and that no one could do anything to him, &c.; did you hear all this?—Nursoo Punt did say about having sent a memorandum of Kulumbundy.

When you went to Nursoo Punt’s house you saw two or three persons sitting there; what are their names, and do you know them?—It is nearly one and a half or one and three quarter years since this occurred, therefore I cannot recollect the names of the persons who were present, but would recognize them on seeing them.

You say you went to Nursoo Punt’s house to get the Pol’s villages on lease; used the villagers of Gorajee Pol’s villages come there?—When I went to Nursoo Punt I used sometimes to see the two patells of Kasseepoora with him, but being a mehta of Kasseepoora, &c., no conversation would take place in my presence; even if they were conversing, on my making my appearance there, they would stop.

Do you know Jeyrow Hybutrow?—Being a Seegole Brahmin, and residing in Baroda in Bajwarra, I do not know where Jeyrow lives and from what place he came; but having seen him sometimes with Nursoo Punt, I know him by sight.

N.B.—The first question put to this witness was written in my presence, but being otherwise engaged at the time, and not contemplating that the karcoon would commence the examination otherwise than in the usual general style, I was not aware of the leading nature of the first question put, until the whole deposition was read over to me at the conclusion of the examination; although the leading nature of that question is calculated to weaken the value of the testimony given in this deposition, yet from the straightforward way in which the witness answered all my subsequent questions, I have no reason to doubt the truth of his entire statement.

TRANSLATION of the Deposition on oath of Azum Morar, inhabitant of Peeran Putton, now at Baroda, a Peon on the establishment of the Baroda Residency, made before the Resident on the 2d September 1850.

Question. You were ordered to bring the persons pointed out by Jeyrow Hybutrow, on which you brought Sha Munsook Pranjeewun; how did you bring him; state all the particulars?—*Answer.* On the 31st August 1850, I received orders to go in the morning to Jeyrow’s house, and to bring the persons he may point out; accordingly, after taking my meal, I went yesterday to the Paga of Lulloobhoy, where Jeyrow resides; as the latter had gone out somewhere, I sat down there; when he returned I asked him where he had gone to, as I had been waiting for a long time for him; he replied that he went on business, and that as soon as he took his meal he would accompany me; after his meal we left the place and went to Bajwarra, and from there, after passing “Soorsagur Tullow,” came to the house of Meer Sahib; from here, after passing “Karubow,” we came to Rowpoora, when he pointed out to me the house of Munsook; we then went to the house where Munsook was cooking his meal; I told him that he is required at the Residency, and to come with me; he replied that he would after taking his meal, and desired me to sit; Jeyrow and I sat down; after taking his meal, Munsook accompanied us to the Residency; he made no objection to coming.

You have stated above, that you brought Munsook to the Residency, and that Jeyrow was with you; had he any conversation with Munsook?—When I and Jeyrow went to Munsook’s house to call him, we sat far from Munsook; after Munsook had finished his meal, we three came to camp together; but Jeyrow held no conversation with Munsook.

TRANSLATION of the Deposition on oath of Munsookram Pranjeewun, inhabitant of Ahmedabad, but now residing in Baroda as Vakeel, in the Department of Bappoo Kuddun, made before the Resident on the 2d September 1850.

Question. Were you present when a conversation took place between Nursoo Punt and Jeyrow Hybutrow, as stated by the latter; if so, what passed between them, and on what day; state all that is true?—*Answer.* I do not know who Jeyrow is, but about St. 1905, Kartick month (November 1848), about eight o’clock, I went to the house of Nursoo Punt with a petition to take his advice, he being an inhabitant of Ahmedabad like myself, regarding my claim on the Karkhana of Gunputrow Tulleykur, which owing to its being much involved in debt, was made over to Succaram Purshotum, and he was requested to settle the claims of the different people, but my claim was not paid to me. Nursoo Punt was sitting at the time in a room for the purpose of offering his prayers. I paid my compliments to him and sat down. There were Jeyrow and others sitting there; Jeyrow then said that “Tatia Sahib, if

if you will take your pension, what will become of poor persons like us, and how will our business be done? After taking pension you will be like one of us." On this he got very angry, and said, "Who is going to give me pension? I have the Governor of Bombay and Head (or Reid) Sahib as my protectors; that Outram Sahib forcibly wants me to take pension; but I will not do so: many gentlemen like him have come and gone, and will come, but I do not fear him, nor through fear will I take pension." This and many other improper expressions he used towards Jeyrow and the Sahib, so that I, being a poor man, cannot write them down. As Tatia Sahib was in anger, I returned to my house without consulting him on my case, which I intended to have done, but the rest were sitting there.

Was it before or after you went in that the above conversation took place?—Some "tukrar" may have commenced before I went in, because Nursoo Punt did not return my compliments, and seemed angry; but what had passed before I went in, I do not know; but what took place after I went in, I have stated above.

State of what place is Jeyrow Hybutrow an inhabitant?—I do not know; but as I saw him at Nursoo Punt's, I know him by sight.

As you do not know Jeyrow, how did he point you out; state the circumstances?—About nine or ten days ago, as I was sitting at Joita Dellah's shop, Jeyrow having seen me from afar, went away. Yesterday, after taking my meal at Joita Dellah's house, I went to my house, and as I was standing at my window I saw Jeyrow in the street, but he did not call me, nor did I. He afterwards went away. This morning, as I was after bathing going to cook my meal, Jeyrow and the peon came to my house; Jeyrow came in, but the peon sat outside. Both told me that I was required in camp, when I replied that I never go to camp, and why was I sent for? The peon said the Sahib wants me, therefore to come, and what there is to say it would be told to me, and desired me to come, and then I could go back. After cooking and taking my meal, I accompanied the peon to the residency. What I knew and what I recollect I have deposed above.

You have stated you went to Nursoo Punt's house with a petition regarding your case, when you finding him in anger, you returned to your house. Did you ever after go to his place?—About eight days after this I went to Nursoo Punt, and stated my case to him; he replied that when Bhunsalee set out from Surat, or his goomashta should come here, my business would be settled; as I was a vakeel I could not do it. I then returned home.

What you have stated above, was it by the advice of any one, or that you have stated all things as they occurred?—No one advised me, nor did I by any one's advice depose what is stated above. But what I knew I have deposed.

Did any one promise of paying you anything?—No.

You have stated that you are a resident of Ahmedabad; that you have a claim of about 5,000 rupees; that you went to Nursoo Punt with a petition to take his advice, but that your case has not yet been settled, nor did you petition the Resident on the subject. Did any one therefore hold out hopes to you that if you gave your deposition, your case would be done?—No one had held out hopes to me, or said anything to me, but I merely came as the Government peon had come to call me, otherwise I should not have come.

When you went to Nursoo Punt's house, you state you did not know Jeyrow. Do you know the others who were sitting there; if so, give their names?—I do not know their names, but I would make them out on seeing them.

Do you know Bhow Nurrotum of Baroda, who is sitting here?—I know him by sight, as I saw him at Nursoo Punt's when the conversation commenced. He was there before me.

TRANSLATION of the Deposition on oath of Rowjee Hurree, inhabitant of Baroda, made before the Resident at Baroda, on the 4th September 1850.

Question. Were you present at the conversation which took place between Nursoo Punt and Jeyrow, about one and three quarter years ago, as stated by the latter; if so, what was the conversation, and on what occasion?—*Answer.* I was employed by Sumputram Dulputram, the lessee of the paga belonging to the Pol, but as we did not agree, I asked for my discharge, who paid up my salary with the exception of about 15 rupees. I told him that as he would not give me my pay, being a lessee of a paga which is guaranteed, I should prefer a complaint to the Resident on the subject. This occurred about Assoo Mas of St. 1904 (October 1848), but Sumputram did not pay the balance of my pay, and told me to complain to the Resident. About the month of Kartick of St. 1905 (November 1848), the exact date not known, I went to Nursoopunt's house to consult with him before making a complaint. He was sitting in a room saying his prayers. There were two persons near him. Afterwards Jeyrow, the person who pointed me out, came there, and after him another person. All were sitting. Jeyrow then said to Nursoo Punt, "You are not going to do my business, as there is a rumour that you are going to take your pension; if so, how will the business of poor people like myself be done?" On this Nursoo Punt in anger told him, "Who is going to give me pension? I have a great supporter in Bombay in Reid Sahib, therefore who can make me take my pension?" Jeyrow replied, that owing to a report being made by Outram Sahib about his pension, that he was induced to say so. On this he got very angry, and abused both Outram Sahib and Jeyrow, in words which ought never to have been uttered, and which I cannot openly repeat. Having heard such words pass between them, and seeing Nursoo Punt in anger, I returned to my house without consulting him on the subject of my affair.

Give the names of the persons who were present at the time the above conference took place?—I do not know their names, but if I see them I shall recognize them.

What caste of people were those persons who were present?—There were two who I supposed to be Bahmians, from the manner in which their turbans were tied, and the other two had their turbans tied like those of Deccanees; but whether they were Brahmins or of another caste, I cannot exactly say, but they looked like Brahmins.

What you have deposed above, was it by the advice of any person, or have you stated exactly all that had occurred?—No one advised me to do so, nor held out any promise to me. I have stated what had occurred, and what I knew.

You have stated that you know Jeyrow by sight, and he says the same of you. But in what way did Jeyrow find you out and point you out to the peon?—I had gone to the bazar for some business about my house. Jeyrow and the peon seeing me, came up to me, and said that I was wanted at the residency. I asked them on what business was I required; the peon said he did not know; but Jeyrow said that when a conversation took place between Nursoo Punt and himself, I was present, and therefore I was called as a witness. On this I came to the residency, as a peon had come to call me; and I have stated all that I know.

Do you know of what place Jeyrow is, and of what caste?—From his name being Jeyrow, it appears to me he is a Deccanee, but of what place, and who he is, I do not know.

Did Jeyrow meet you before he went to you with the peon?—I did not meet Jeyrow before he came to me with the peon in the bazar, nor do I know him.

You state you went to Nursoo Punt's house and returned. Did you ever go to him before or after this?—I went to him before, and once or twice afterwards, but received no answer about my affair.

Did you receive the balance, 15 rupees, that was due to you by Sumputram?—I considered that, as Nursoo Punt gave me no answer, and if I petitioned the Resident, he being the karbaree, he would read it, and thus my business would not be done; therefore I compromised the matter, and there is no dispute now about it.

TRANSLATION of the Deposition on oath of Emaum Khan Goolab Khan, inhabitant of Baroda, a Peon on the Establishment of the Baroda Residency, made before the Resident on the 5th September 1850.

Question. You were ordered on the evening of the 2d September 1850 to bring to the residency the persons whom Jeyrow would point out, who are said to have been present at a conversation between Nursoo Punt and Jeyrow; what happened; state all that occurred?—*Answer.* Having received orders at night, I next morning went to Jeyrow Hybutrow, who lives in the house of Lulloobhoy, on "Surseea Tullow," and told him to show me the persons I was to call; he desired me to sit down, and that after he had taken his meal he would accompany me; after his meal we left the place and went round the city, but could not find the people; we then returned to Jeyrow's place, who told me to come the following day; I then went to my house; yesterday I went to Jeyrow again, who, after taking his meal, went with me to the bazar and other places in search of the people, but could not find them; about three o'clock, as I was returning to Jeyrow's place, the latter saw a Brahmin passing, who he said was one of the witnesses;* we both went to this man, and told him that he is required at the residency, when he asked why he is called there; I told him that I did not know; but Jeyrow said that when a conversation between Nursoo Punt and himself took place he was present, therefore he is required as a witness; on this he said, as he had got business at home, to accompany him first to his place; so we three went to his house, which is situated near "Mudden Jampa;" the man went into the house, but I and Jeyrow remained outside; afterwards he came, and said "Come along;" so we three came to the residency.

What is the name of the person whom you brought?—I do not know, nor did I ask him.

Did the man make any objection to come to the residency, or he came as he was desired?—He made no objection to follow us; but when he was told to come, he said that he would not do so for Jeyrow; but that as I was a Government peon he came.

Did Jeyrow point you out the remaining witness?—On the first day (3d September) Jeyrow pointed out to me a person looking like a Guzerattee Banian, who I told to follow me, as he was required at the residency; he replied that there is a caste dinner to-day, and having business to-day and to-morrow, he cannot come now, but if I came the third day he would accompany me; I had met him at the time near Mahomed Warree; I then asked him where his house was; he said it was in "Ghurry Allie Pole;" I then returned. Yesterday I went to his house, and he said he would come to-day after 12 o'clock, I therefore came back; I went to his house again to-day, but did not find him there; I went in search of him, and met him outside the Pole, and told him to come to the residency; he said he had promised to accompany me to-day, but as he has business he cannot come, but that he would come to-morrow.

Did you ask him his name; if so, what is it?—I did ask him his name, but I forget it.

Did

The witness.
Rowjee Hurree.

Did Jeyrow advise the witness you brought yesterday what to say while they were together?—As we three came together Jeyrow did not tell him what to say.

Did Jeyrow advise the witness who promised to come to-morrow what to say?—I and Jeyrow went to him, but I did not observe Jeyrow advise him what to say, nor did I hear of it.

TRANSLATION of the Deposition on oath of Dwarka Vrejlal, Banian, inhabitant of Baroda, made before the Resident at Baroda on the 6th September 1850.

Question. Jeyrow, the person who has pointed you out to the peon, has stated that when conversation took place between Nursoo Punt and himself on Kartick Vud 10th of St. 1905 (20th November 1848), you were present; if so, state what passed between them?—

Answer. About the date you mention I left my house in the morning, and went to Nursoo Punt's house, who lives in Kaka Sahib's warra, for the purpose of asking him if he wanted any ghee, at which time Nursoo Punt was sitting in a room to say his prayers; two Brahmins and Jeyrow, the person who came with the peon, were present, and after me a Bahnian came in; Jeyrow then said, "Tatia Sahib, if you will return home (leave the service), what shall I do?" On his saying something to this effect, Tatia Sahib got angry, and said, What can you or your Sahib do? This and many other abusive words he used, which ought not to have been uttered, to the effect, that there is a gentleman in Bombay who is his great supporter, therefore who can hurt him? nor did he fear any one. This is all I recollect hearing.

Was the name of any gentleman mentioned?—Some such name as Keed Sahib was mentioned by Nursoo Punt; but I do not recollect it distinctly.

Did you ever go to Nursoo Punt before to give ghee, or was this the first time you went?—I went once or twice to give ghee, and as I had received good ghee in my shop, I went to him to ascertain his wishes on the subject; but finding him disputing with Jeyrow, I returned to my house without asking him.

Did any one advise you what to say, or how?—No one advised me what to say; I have stated all that I know.

Did any one hold out promise to pay you anything to give evidence?—No.

It is four days since the peon first went to call you, and you have only appeared to-day; what is the reason, therefore, of your having delayed so long, after having made daily promises to come?—A relation of mine having died, I was engaged in giving a caste dinner on that account, for which reason I made promises; I had business to-day too; but how long can I continue to make daily promises to a Government peon? I therefore left my business as it is, and came to the residency.

When Jeyrow brought the peon to point you out, where did you meet him, and how did it occur?—About four days ago, as I was coming from Mahomed's warree, the peon and Jeyrow came up to me, and said I was wanted at the residency; I replied that having got business, and there also being a caste dinner, I could not accompany them that day, but that I would come two days afterwards; on this the peon asked me where my house was; I said it was in "Ghurry Ally Pole;" after this the peon used to come to my house to call me.

(True translations.)

(signed) *M. Battye*, Assistant Resident.

— No. 18. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

I REALLY cannot attach any credit to the circumstances deposed to in this enclosure. Jeyrow Hybutrow was dismissed from his appointment of Tahnadar of Jambooghora on the 3d April 1847, and was afterwards declared by Government incapable of re-employment. Subsequent to his dismissal, various other of his malpractices were discovered, as reported by Mr. Mansfield on the 14th December 1847.

An accusation brought forward by such a man requires good proof to remove suspicion. The case is thus.

Jeyrow Hybutrow asserts, that about September 1848 Nursoo Luxmon made use of language highly improper for a man in his situation; that there were present four men whom he knew by sight, but not by name. He was told to produce these men; and in little more than a week, notwithstanding his very slight knowledge of them, he had found them in the crowded city of Baroda, and produced them to give their evidence.

Their depositions are marked by such a similarity, that when it is remembered

that they depose to a conversation which had occurred nearly two years before, I cannot but think it was framed for the occasion.

There is no account of the character of the witnesses, or any reason beyond what they state themselves for attaching any credit to their statements; and in the absence of this I cannot but think that the whole of this case (J.) is made up by Jeyrow Hybutrow. I think it will be sufficient to inform Lieut.-colonel Outram that Government deem it unnecessary to take any further steps in this matter.

(signed) *Falkland.*
J. P. Willoughby.
D. A. Blane.

11 October 1850.

— No. 19. —

No. 219 of 1850.—Secret Department.

From the Secretary to Government, in charge of the Secret Department, to
Lieut.-colonel *J. Outram*, C.B., Resident at Baroda.

Sir,

I AM directed to acknowledge the receipt of your letter, No. 207 B., dated the 7th September last, with enclosures, forwarding translation of the depositions taken before you of Jeyrow Hybutrow and others, with respect to the conduct of your late native agent, and to inform you that the Right honourable the Governor in Council deems it unnecessary to take any further steps in the matter.

I have, &c.

(signed) *H. E. Goldsmid,*

Secretary to Government, in charge of the
Secret Department.

Bombay Castle, 5 November 1850.

— No. 20. —

To the Right Honourable Lord *Falkland*, President and Governor in Council,
Bombay.

The humble Petition of Nursoo Luximon, Native Agent of the Baroda
Residency,

Most respectfully sheweth,

THAT your Lordship's petitioner is, to his great mortification, aware that Colonel Outram has recently made two unfavourable reports to Government, one in the case of Hurry Bhugtee Pareck's claim against Govind Row Gaekwar, and the other in that of Gadajee Pole's affairs. Your petitioner does not wish at present to trouble your Lordship with any details of these cases, which may perhaps be altogether unnecessary for him ever hereafter. But should Government draw any inferences from what Colonel Outram may have said in his reports against your petitioner, prejudicial to his hard-earned character, he humbly craves your Lordship in Council not to condemn a public servant, as your petitioner, of most unexceptionable character, without hearing his defence.

It is a matter of great regret to your Lordship's petitioner, that after a service of 30 years he has the mortification to make such representation to Government. Up to this time all the superiors under whom your Lordship's petitioner had the honour to serve, have made favourable reports; and your Lordship's petitioner was fully confident that Colonel Outram, under whom he served laboriously for 15 months, and who had a kind regard towards him, would likewise make a favourable mention to Government; but unfortunately, on the misrepresentation of your Lordship's petitioner's enemies, a sudden change took place in Colonel Outram's mind. The enemies of your Lordship's petitioner have attempted to

cast

cast stigma on his hitherto unblemished character, to serve their own selfish object ; therefore your Lordship's petitioner, being conscious of his integrity, is fully confident that justice would be done to him.

And your Lordship's petitioner, as in duty bound, shall ever pray.

Baroda, 18 September 1848.

(signed) *Nursoo Luximon,*
Native Agent

— No. 21. —

Extract Bombay Political Consultation, 19 February 1851.

No. 11 of 1851.

From Lieut.-colonel *J. Outram*, C.B., Resident at Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay. No. 1,026.

Sir,

It having come to my knowledge that a petition from my late native agent, *Nursoo Punt*, dated 18th September 1848, was received and taken into consideration by Government, when the cases submitted by me on the 31st August and 7th September of that year, Nos. 209 and 215, to which it had reference, were before the Honourable Board, I trust I shall not be considered unreasonable in soliciting the favour of being furnished with a copy of that document, which does not appear to have been communicated to this office, as it could only have had reference to my official proceedings in the investigation of the cases alluded to.

I have, &c.
(signed) *J. Outram,*
Resident.

Baroda Residency, 11 January 1851.

— No. 22. —

MINUTE by the Right Honourable the Governor, concurred in by his Excellency the Commander-in-Chief and the Honourable Mr. *Blane*. No. 1,027.

As it was not at the time considered necessary to forward a copy to Colonel Outram, and as the petitioner merely requested that *Nursoo Punt* should not be condemned on Colonel Outram's report without being heard in his own defence, I see no reason for sending a copy to Colonel Outram, who may be so informed, as well as why we decline compliance with his wishes.

(signed) *Falkland.*
J. Grey.
D. A. Blane.

20 January 1851.

— No. 23. —

MINUTE by the Honourable Mr. *Willoughby*.

No. 1,028.

If we decline to furnish copy of this document, Lieut.-colonel Outram will fancy it contains matter which we do not wish him to see. I think it would be better to avoid this, and to comply with the Resident's request.

22 January 1851.

(signed) *J. P. Willoughby.*

Seen.

(signed) *Falkland.*
J. Grey.
D. A. Blane.

—No. 24.—

No. 595 of 1851.—Political Department.

No. 1,029.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to
Lieut.-colonel *J. Outram*, c.b., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 11, dated the 11th ultimo, requesting to be furnished with the copy of a petition presented to Government by your late native agent, Nursoo Punt, on the 18th September 1848.

2. In reply, I am desired to state, that as it was not at the time considered necessary to forward a copy of this petition to you, and as the petitioner merely requested that he might not be condemned without being heard in his own defence, his Lordship in Council considers it unnecessary to furnish you with a copy of the petition.

I have, &c.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 8 February 1851.

—No. 25.—

No. 207 A. of 1850.

From Lieutenant-colonel *J. Outram*, c.b., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay; dated 7th September 1850.

Sir,

ON the 30th July last, I had the honour to transmit to you a second report (No. 179), in reference to certain charges I had previously preferred against the firm of Hurree Bhugtee, bankers of Baroda.

2. In doing so, I reminded you that I had, whilst my first report was before Government, pledged myself to substantiate all its allegations, and volunteered to afford personally or in writing any additional information, which the Right Honourable the Governor in Council might deem requisite for establishing the guilt of the accused parties; I also brought to your recollection, that I had expressed my readiness to defer my departure to Egypt to enable me to “explain what was deficient in my report,” “so anxious was I that truth should be reached, and the claims of justice satisfied.” I alluded to the fact that no further information had been applied for, and no explanations sought of me, though I was on the spot, and ready and anxious to supply them, and I expressed the humiliation and regret I had experienced, that Government having neglected to avail itself of the elucidatory assistance I had proffered, should have arrived at a decision which virtually acquitted the bankers I had denounced, inasmuch as it continued them in possession of its guarantee, of which the condemnation of the firm must have caused the forfeiture.

3. I further complained that “far from receiving commendation from Government for the exertions I had made on that occasion, I had the additional mortification of finding myself indirectly censured for having expressed a suspicion that Nursoo Luximon, the native agent, was cognisant of the fraud attributed by me to Hurree Bhugtee,” and it is to matters having pertinence to, and arising out of this censure, that I devote the present communication, with its accompanying documents.

4. In one of the latter (A.), I have endeavoured to demonstrate that such censure was totally undeserved, and this I have done by adducing facts and explanations which it was in my power to adduce, had I considered the adduction necessary when my first report was lying before Government.

5. These facts and explanations I conceive I had a right to be allowed an opportunity of advancing after I had expressed my readiness and ability to substantiate every allegation made in my report, and to remove every doubt that Government might entertain as to the guilt of the accused parties. They were not introduced into my first report, simply because all that I had alleged against Nursoo Luximon, “neglect or culpability,” had I thought been justified, and
because

because I had no doubt the malign influences of the man was about to cease, by his retirement from the service. But before Government took on itself to accuse me of "lightly assailing" the character of a native servant, it would I think have been no undue stretch of courtesy to a British officer who had served them long and faithfully, and who professed himself in a position to substantiate his every statement, to give him the solicited opportunity of doing so.

6. Such, however, was not the course Government saw fit to pursue, and not only did they censure me in my absence, and without allowing me to vindicate my conduct, but the effect of their despatch was to prevent my vindicating myself at any future period, by declaring that it was quite unnecessary even to "require his (Nursoo Luximon's) explanation on a single point in these transactions."

7. Nor were they satisfied with thus exonerating a public servant in whom I had reported that I could place no confidence, and with censuring me for avowing my want of confidence in him; they actually invited the man in question to remain in their service, and in occupation of the highest and most confidential post in my own establishment. This they did after he had himself requested leave to retire, and in tendering the invitation, they hypothetically assumed that Nursoo's application to retire might have "arisen from his feeling it impossible to serve under Colonel Outram, after what he may consider the unjust treatment he has received at his hands." And not only so, but Government intimated, as clearly as the English language permitted, that but for the fact that Nursoo Luximon's application to retire had preceded my accusations, my unjust treatment of that servant would have afforded reasonable grounds for such an application. Such at least seems to me the meaning of the following passage, when viewed in connexion with the general tenor of the despatch, and the accusation it brings against me of lightly tampering with the reputation of native servants: "Had the application of Nursoo Luximon arisen from his feeling it impossible to serve under Colonel Outram, after what he may consider the unjust treatment he may have met with at his hands, his Lordship in Council would not object to allow him to re-consider his application, now that Colonel Outram is no longer at Baroda; but such is not the case, as his intention to retire on the completion of his 30 years' service had been previously brought to the notice of Government, from which it is inferred that he has no desire now to continue in employment. If, however, Nursoo Punt's services are required by you, his Lordship in Council will not object to give him the option of withdrawing the application."

8. If these censures (expressed and implied) had been merited by me, to remain in my present employ would as little comport with my own feelings as it would conduce to the public interests. But they were not merited; they were founded on defective information, and erroneous assumptions; and I feel certain, that this being demonstrated, Government will withdraw their censures, and express their satisfaction with my conduct.

9. Such a proof of their approbation I ask not for my own sake, from no feelings of wounded vanity, from no selfish cravings for personal compliment; I ask it with a view to the maintenance of the dignity and moral weight of the office of which I am the incumbent.

10. Should such be the results of the deliberation of Government on the documents now forwarded, I think I have shown cause why the interests of truth and the welfare of the community of this province demand that publicity be given to the alteration which further research has caused in the views of Government.

11. Should, however, neither my present letter nor its accompaniments be deemed of sufficient cogency to effect a radical change in the views of Government, I have to request that both letter and accompaniments be sent to the Honourable the Court of Directors, and be by them considered a respectful appeal on my part against the censures passed on me by my own Government, an appeal extorted from me by a deep sense of the obligations imposed on me as their servant.

I have, &c.

(signed) J. Outram, Resident.

Appendix (A.)

EXPLANATORY Remarks on the Letter addressed by the Chief Secretary to Government to the Officiating Resident at Baroda, dated 12th January 1849. No. 204.

Extract Paras. 2, 27 and 37.

2. "With reference to paras. 2 to 13 of his Report, in which Colonel Outram explains the reasons which obliged him to obtain the assistance of Venaik Moreshwur Furkey, a person not in the employ of Government, in investigating the claims of Paruk Jugeewun Kandass against the Pol, I am desired to inform you that Colonel Outram was justified, when his suspicions were excited, in making use of extra aid in prosecuting his inquiries into this case, but that he greatly erred in seeking it from a person whose employment in a political office had before been forbidden by Government; a procedure which makes it evident that he could not have examined the records of his office, in which the correspondence concerning this person existed." * * *

27. "Although the Right Honourable the Governor in Council is of opinion that Colonel Outram, with his suspicions excited, was justified in employing another person than the native agent in the investigation, he is also of opinion that Colonel Outram's grounds for suspicion were unsound, and that it is, therefore, much to be lamented that he entrusted to another a duty which he ought to have required Nursoo Punt to perform. His integrity would have been fairly tested had he been entrusted openly, and with that confidential expression of his own views, which is due from a Resident to a native in such a situation, with the scrutiny into the Paruk's accounts."

37. "With respect to the employment of Venaik Moreshwur Furkey in investigating Gorajee Pol's accounts, I am again desired to express the opinion of Government, that it was both improper and injudicious; not only under the recorded opinion of Government that this person was not eligible to be employed in any political capacity, but likewise because it could not have been expected that he would act with impartiality as a referee on any matter in which the native agent was concerned, since Furké was not only a rival candidate for the office of native agent when Nursoo Luxmon was appointed, in 1844, but now aspires to succeed him in the event of his removal; and Colonel Outram, notwithstanding the opinion of the Government of 1844 [in which his Lordship in Council entirely concurs] of his ineligibility for this responsible office, has actually proposed that Venaik Moreshwur should be appointed on the retirement of the present native agent."

REMARKS.—My Report on the case of Venaik Moreshwur Fudkey, the individual here so strongly objected to, under date the 22d June last, must, I think, have relieved me in the opinion of the Right Honourable the Governor in Council from all blame for availing myself of the services of that person, the interdict to his employment having been virtually removed by the subsequent official permission of Government to apply for re-employment, which is appended to that Report. The objection on that score having, as I supposed, been withdrawn, Venaik Moreshwur Furkey was the most capable of fulfilling the duty of any one available at Baroda. Not only had he acquired great experience in the customs of the country generally, from his former position of native agent in the Rewa Kanta, but he had also the advantage of being personally experienced in the affairs of this particular Pagadar, the Pol, which formed the subject of the inquiry, having been employed by Mr. Malet on precisely the same duty, and for exactly the same reasons, and under the same circumstances, 10 years before, when, as on the present occasion, Mr. Malet suspected the mismanagement of the Pol's affairs had been effected "through a conspiracy of influential members of the (Residency) establishment with the other party." * * * "The influence of Briglal (the then native agent of the Residency, as Nursoo Punt is now†) in this case has been exercised in behalf of Baba Nafra (the then Paruk managing the villages, as Jugjeevun Kandass does now†) to obtain an acquittance for the latter, and thus to prevent future inspection of his accounts and management, which it will be found brought the petitioner to bankruptcy in five years." The only difference in the case on that occasion from the present being, that then the bankruptcy of the Pagadar had already been accomplished through the collusion of the residency native agent with the managing paruk; and that now a second bankruptcy was on the eve of being accomplished through similar collusion between the parties now holding those relative positions. "For these reasons," Mr. Malet then said, as I say now, "it behoved me strictly to investigate this case; I accordingly called for Baba Nafra's accounts, and submitted them to the inspection of the following persons, in the presence of the parties concerned: Unna, carkoon of Jumsetjee Dessae, Ramchunder Punt, carkoon of Bhasker Row Withul, and Venaik Moreshwur Fudkey." The latter person was not then in the Company's service, and he was chosen by Mr. Malet on that occasion, as he was by me on this, as being the only native who could be found sufficiently independent of the Guicowar court and residency establishment to be likely to be uninfluenced thereby in prosecuting the inquiry. On that occasion Mr. Malet found two coadjutors who he thought might be depended on; on this I could find no other person whose independence could be relied upon; the native agent's influence through his supposed power at the residency, and extensive Sowcary connexion through Baba Nafra, being such as to secure the subserviency to his will of all classes. Instead, therefore, of giving Venaik Moreshwur Fudkey any native colleagues in his inquiry, I associated my assistant, Lieutenant Battye, with him in the duty, in whose presence the investigation was conducted in open court, and in presence of the parties concerned.

Report, dated
15 December 1837.

†At the date of my
Report.

Government expresses its opinion that my grounds of suspicion against Nursoo Luxmon "were unsound, and therefore it is much to be lamented that I had entrusted to another a duty which I ought to have required Nursoo Luxmon to perform." The three reports of that person, appended to my exposition of the case, plainly show that I did require him to perform the duty, and that, in the said reports, he did not fulfil the duty which was required of him, and this I thus distinctly stated in my 5th para.: "Prior to calling Baba Furkey, however, I desired the native agent, with a view either to give him an opportunity to remove the suspicions which I entertained, or otherwise to establish his collusion with the Paruk, were they well founded, to furnish me with written reports on the Pol's affairs: 1st. On the estimates, or Kucha accounts, furnished by the Paruk for Sumvut 1902 and 1903; 2dly. A. D. 1846-47. On the original accounts and vouchers when received in July last; and, 3dly. Regarding the disposal of the arrears recovered from his Highness the Guicowar. These reports I beg leave to append (marked (C). Nos. 1, 2, and 3), and at the same time to submit the observations they demand." The observations here alluded to, which then follow, appear to my humble judgment very clearly to demonstrate the insufficiency of the native agent's reports; and it was because they were insufficient that I was compelled to institute the further inquiries, which elicited the truth, and were prosecuted with much labour by Mr. Battye, aided by Venaik Moreshwer Furkey.

In reply to the opinion expressed by Government that the employment of that person was both improper and injudicious, I can only respectfully observe, that without his aid it would have been impossible to have acquired any real knowledge of the merits of the case. No European officer, unaided, could unravel such a complicated system of native chicanery and fraud, and no other native capable of doing so, and sufficiently free from the influence of the native agent, was available.

As to that person being swayed by rivalry of the native agent, such rivalry could have had no influence against the latter, for Venaik Moreshwur was not called upon to offer any opinions whatever; he had merely to elicit facts and unravel accounts in the presence of my assistant, and the native agent was always present in the office during the inquiry, which was openly carried on. If the Furkey had hopes of succeeding to Nursoo Luxmon, they never were expressed to me or encouraged by me, for, as is shown in my report regarding that person, I had had no previous intercourse with him, and the first and only intimation of my intention to recommend him for the expected vacancy was on the 9th September, the day on which I addressed Government on the subject, after the investigation had been completed. If Venaik Moreshwur Furkey had previously aspired to the office, however, it was not unnatural he should have done so, considering his previous services; but the hope of succeeding to Nursoo Luxmon need not in any way have influenced him to endeavour to promote the condemnation of that individual, for the intention of the latter to vacate office on the completion of his 30 years' service, which was accomplished on the 11th September, had long previously been announced.

Extract Paras. 7 and 8.

7. "In submitting the report under reply, as well as in his report on the case of Govind Row Guicowar, No. 209, of the 31st August last, Colonel Outram has represented the conduct of the native agent Nursoo Luxmon as open to the gravest suspicions either of apathy and disregard of his duties to Government, or of culpable collusion with fraudulent and unprincipled parties."

8. "His Lordship in Council considers it to be due to this hitherto distinguished native officer, who has passed a large portion of his life in the service of Government, whose character has hitherto been unassailed, and most faithful of the native revenue servants under this residency, and on whom the Honourable Court of Directors, in token of its approbation, has conferred the grant, for three lives, of a village of the annual rental of 1,200 rupees, that serious accusations of this nature should not be lightly entertained against him; that before any decision is passed upon his conduct, those accusations should be thoroughly sifted, and that if any doubt still remain, opportunity should be afforded him of explaining whatever may appear detrimental to his character, and may throw upon him a shadow of suspicion."

REMARKS.—The reports referred to exposed two instances of fraudulent and unprincipled attempts, on the parts of certain Baroda bankers, to defraud Gorajee Pol Pagadar and Govind Row Guicowar, two persons enjoying the protection of the British Government, and whose interests it was my duty to look after. In the first case, a similar system, although carried out in a different manner, was in progress to effect the ruin of the Pagadar, and thereby cause the resumption by the Guicowar of his Nemnook villages, or forfeiture of his Pagah, to what he was rescued from by Mr. Malet in 1837 (alluded to in the preceding remarks). On that occasion Briglal, the native agent of the residency, was accused by the officiating Resident, Mr. Malet, of aiding Baba Nafra, the then Paruk, in this nefarious attempt, on evidence which appears to me by no means stronger, if so strong, than what is advanced in my report on the present case in support of my suspicions of collusion with the present Paruck on the part of Nursoo Luxmon, and for a similar purpose. The then Government of Bombay was of opinion that "the facts detailed in Mr. Malet's report went far to prove the allegation," and that "the British Government was bound to institute a most rigid scrutiny into the whole transaction," which the new Resident, Mr. Sutherland, was directed to carry out, whose report confirmed Mr. Malet's decision

that the transaction had been effected "through the influence of the residency carbarees, who, no doubt, as in most matters at that period, acted under the influence of the Durbar and Baba Nafra." I have no hesitation in declaring my firm conviction that no such scheme as either the former or the present plot for defrauding Gorajee Pol could possibly succeed without either the collusion or culpable neglect of the Residency native agent, and I feel assured that a further consideration of this case, aided by the explanations hereafter given, will satisfy the Right Honourable the Governor in Council that Nursoo Punt was quite as much to blame on the latter occasion as Brijlal was on the former.

2. With reference to the opinion expressed in the 8th para., that the long and heretofore faithful services, and great ability, of Nursoo Luxmon, which secured to him the approbation of the Honourable the Court of Directors, and in token thereof, the grant for three lives of a village of the annual value of 1,200 rupees, should have prevented serious accusations of this nature from being lightly entertained against him. I beg leave respectfully to claim for myself the credit of ever having been too sensibly impressed with the high value of long-tried and faithful native servants, to be capable of lightly entertaining suspicions against such an one, and it was with much concern I found myself at last constrained to receive them against Nursoo Luxmon. Had I thought it possible that the circumstances adduced in my reports on those cases could be deemed otherwise than sufficient to warrant such suspicions, I might then have shown how they had gradually become impressed on my mind, by the insidious manner in which Nursoo Punt had sought to sway my judgment in these and other matters, in which the interests of Baba Nafra, and the banking firm which that individual represents, were concerned. The first occasion in which I discovered this desire to deceive me happened shortly after I assumed charge of this office, when, on questioning him on the subject of Setanee Joitabae's case, I could not but be struck with the artful manner in which Nursoo Punt endeavoured to prejudice me against her cause (since proved to be just); so strongly impressed was I, from what then passed, with the conviction that Nursoo Luxmon was employed by the opposite party to deceive me, that I at the time repeated the purport of his representations to Mr. Mansfield, who, having known the native agent for some years, was much interested in his favour; and that gentleman was reluctantly obliged to admit that there appeared much ground for suspicion against him. I afterwards remarked, in all other matters having any connexion with that firm, that Nursoo Luxmon ever sought, while still believing that he possessed my confidence, to place circumstances in the most favourable light for their interest. The facts subsequently elicited in the inquiry into the Gorajee Pol and Govind Row Guicowar affairs so fully confirmed my previous suspicions of the man's dishonesty, that I scarcely thought myself warranted in even recommending, as I did, that he should be allowed the benefit of the still possible doubt as to his having been more careless than corrupt.

3. The mere circumstance of Nursoo Punt having left his native place, Ahmedabad, and vacated a situation the salary of which was 500 rupees a month, to come to Baroda on 300, on the plea of health, might well have awakened the suspicions of my predecessors; little supposing that any one could expect to benefit by a change to such a climate as this. But that circumstance was overlooked by them, as it was by me. Had they then been aware, however, how nearly connected Nursoo Punt is with Baba Nafra, a circumstance so studiously concealed, that I myself was not aware of it until a few weeks ago,* their suspicions

* Since this was penned, the papers herewith appended, marked (B.), have been placed before me by Mr. Hykoop, who, in reply to my inquiry why they were not produced during my investigation into the conduct of Nursoo Punt, in 1848, declares that "he was not aware before of the existence of these letters; but yesterday (18th August) while copying your remarks about Nursoo Punt and Sarabhaee, I thought to refer to the correspondence about the native agent, to see if I could glean any thing from it for your information, and I found one letter of Government in it, and another in the outward book for 1844." Nursoo Punt's influence in the office may account for this, and it is evident from the implicit confidence placed in that individual by my predecessors, Sir R. Arbuthnot and Mr. Andrews, that they were equally unaware with myself of there being such strong grounds for mistrusting him, at least in all matters involving the interests of Baba Nafra. From the petition forming the first of the documents in Appendix (B.), I now learn that Nursoo was officially attached to Lord Clare's suite when that nobleman visited Baroda in 1838; and he is accused of at that time exerting his influence improperly. Then I conclude, he must have ascertained the advantage which such influence at the head of residency native establishment would secure to him; and this, I presume, led to his seeking the office notwithstanding its inferior salary. Mr. Remington's report on that petition, it will be observed, mentions Nursoo Punt's connexion with objectionable parties at Baroda, but it does not detail all, for I now learn that he is allied to Baba Nafra by the treble ties of the marriage of his niece with the Baba's son (since he came to Baroda), his own marriage to Baba Nafra's aunt (35 years ago), and the marriage of his first cousin with the Baba's brother (25 years ago); but even the more limited connexion assigned to Nursoo Punt by Mr. Remington, caused regret to Government that he should have been appointed to this office, as expressed in Mr. Willoughby's letter, dated the 30th May 1844, also given in Appendix (B). "Taking into consideration, however," (adds that gentleman) "the high character and respectability of Nursoo Punt, the Governor in Council is not disposed to cancel that person's appointment as native agent to the Baroda residency; but I am instructed to request that care be taken that the orders of Government, dated the 13th July 1843, and the 10th January last, directing the exclusion of the persons therein mentioned be strictly attended to."

Since that period, several of Nursoo Punt's connexions have, at his request, obtained service under the Durbar; and his relative, Venaik Punt, who is alluded to by Mr. Remington, was promoted to fill the high and confidential post lately vacated by Gunnessh Punt, whose dismissal was reported to Government by the late Acting Resident.

picious could not fail to have been awakened likewise, and doubtless I should have been anticipated in the invidious and most unpleasant duty which has devolved on me.

4. The distinction which Nursoo Luxmon had gained in the service of Government, and the high reward of the village grant for three lives, which had been conferred on him by the Honourable the Court of Directors, might well be considered a guarantee for a continuance of upright conduct; and this integrity might probably have been preserved, had he not in an evil hour been tempted to abandon the Revenue department, where little opportunity for lawless gain is offered, and greater risk is incurred, for a political office at Baroda, which affords so wide a field for corruption, and from which it was notorious that his predecessors had reaped a rich harvest of illicit gains. With my own countrymen, and I hope with some classes of the natives of India, a sense of honour, gratitude, and pride of character, would, under such circumstances, deter an official servant from yielding to temptation, but I reluctantly allow that my long acquaintance (32 years) with the Brahminical class, to which Nursoo Luxmon belongs, has taught me that few indeed among them are swayed by such feelings. And it is my opinion, derived from the long experience referred to, that there are few of the class of whom I speak in whose minds such considerations would preponderate against the gratification of their avarice; for this is a gratification incapable of enhancement in Brahminical estimation, save by the excitement of the intrigue by which it is obtained. Of the moral depravity and want of principle charged upon this class of natives, I am in a position to furnish many instances. Suffice it for the present to adduce the case of one, also in the service of Government, who having, like Nursoo Punt, been raised, trusted, and rewarded, is an apt illustration of the degrading fact I have alleged. Sarabhaee, who for 20 years held the same post in this office which was recently vacated by Nursoo Punt, retired from the service in high honour and favour. Not only did he receive a handsome pension, and possess the esteem and friendship of the European gentlemen under whom he had served, to fully as great an extent as Nursoo Luxmon boasts of, but, like Nursoo, he was further rewarded by the grant of a village conferred on him by the British Government, and through the special favour of the latter was permitted to retain similar grants bestowed on him by the Guicowar and other native chieftains; yet some years afterwards, it was found that he had been grossly corrupt and dishonest throughout the period of his supposed faithful service. Proofs of this were furnished to Government in 1837, by Mr. Malet, then Officiating Resident, and similar proofs, even at this day, I have no doubt I could furnish, if required to do so. Of his guilt Mr. Sutherland, Political Commissioner, had no doubt, and that gentleman, in his letter of the 5th April 1838 (256), proposed to establish it by legal evidence, in one at least of the several cases in which Sarabhaee's treachery seemed to him more than presumable.

Extract Paras. 9 and 10.

9. "The gravamen of Colonel Outram's charge in this case is, that Nursoo Punt did not assist him as he ought to have done in the investigation of the case of Gorajee Pole, either from apathy and most blamable carelessness, or culpable collusion with the Paruk in the frauds the latter has been carrying on. His Lordship in Council, however, after a most careful perusal of the papers, finds no sanction whatever for either of these charges."

10. "Colonel Outram, I am desired to observe, has viewed the office of native agent, and the duties required of him, in an erroneous light; he would, as is very apparent throughout the examination of Nursoo Punt of the 26th August, render him answerable for what are really the acts of the Resident, as though the Resident could do nothing but what the native agent dictated to him."

REMARKS.—I required of the native agent information regarding cases of disputed accounts, and the management of estates, on which no study of the records of my office could enlighten me. It had heretofore been the custom of the native agent to draw up reports on such cases, for the information of my predecessors, who, like myself, on first joining a new office, could only look for such information, beyond what was to be found on the records, from that officer, who from his long standing in the office, and former experience in revenue matters, as well as from his trustworthy position, was best capable of affording it, and the only supposed reliable source from which it could be obtained in the first instance, although of course it was the duty of the Resident to satisfy himself of the correctness of the native agent's representations, however trustworthy that officer might be deemed. After fully informing himself of the real merits of the question before him, the Resident acted according to his own judgment, and for those acts he alone is responsible, the native agent being merely responsible for the information he may have furnished to the Resident. On this principle I have ever acted in conducting the duties of this office, and never in any instance have I ever sought to transfer to others the responsibility which ought to rest with myself.

Extract

That the "Asharam," referred to in these papers, was the confidant of Nursoo Punt, as stated in the petition, will hereafter appear in connexion with the charge of bribery, which it will be my unpleasant duty to bring against the late native agent in a few days; he (Asharam) having been the party usually employed, it appears, in such transactions with Nursoo Punt, whose influence with the Durbar was successfully exerted lately in securing for Asharam's son a lucrative post, which the father had held until his decease, a short time ago.

Extracts Paras. 11 and 12.

11. "His Lordship in Council is of opinion, that the answers given by Nursoo Punt to the queries put to him, are quite satisfactory. He seems in these, as well as in his reports of June and July 1848, to have explained all that could be required of him. Government may not agree with him in his opinion as to the necessity or expediency of relieving the patells from their seven years' engagement, or granting them most favourable terms; still there is nothing to blame in that opinion, and it is probable that many persons, if they thought the terms too hard, (Furkey's report, paragraph 13, Art. I., admits that there were losses,) would have deemed it right to make some abatement. This I am desired to observe is contemplated in the lease itself, in the concluding clause of which it is particularly specified, that if on an examination of accounts it appears that the lessees are losers, the Resident will grant a remission, a fact which the Resident has nowhere noticed in his proceedings."

12. "But the question of the rent of the villages, as far as the patells are concerned, is a matter wholly foreign to the principal subject, which is the state of the account between Pol and the Paruck. The bond of 14th January 1846, distinctly lays on the Paruck the obligations of maintaining the leases. He might make with the patells any arrangement he pleased, still he was answerable to Pol for the whole sum, and Government cannot perceive that there was the slightest necessity for any inquiry into what the Paruck really got from the villages, nor for any investigation into their management, so long as the patells did not themselves complain of extortion or any violation of their contract, or the Paruck of being unable to realize his dues."

REMARKS.—With respect to Nursoo Punt's reports of June and July, in which it seems to Government that he had explained all that could be required of him, I have to observe, that, had those reports contained all that could be required, I should have had no occasion to impose on Mr. Battye and myself the further laborious inquiries which were afterwards gone through. As stated in my report (para. 5), I had afforded the native agent an opportunity to remove my suspicions of his collusion with the Paruck, by calling on him for those reports, which had they contained all the required information, would have had that very satisfactory and much desired effect. But so far from it, Nursoo Luxmon slurred over, without notice, the facts that although only authorised to expend 5,412 rupees per annum on the Pol and his Paga, a sum considerably less than the revenue he received from the villages, still 15,000 rupees are brought in as due by the Pol at the end of the second year: Secondly, He slurred over, without expressing any suspicion of unfair dealing, the unauthorised cancelling of the lease of the patells, by which a revenue of 5,700 rupees per annum had been secured to the Pol for seven years: Thirdly, Having thus abstained from bringing the existing lease to notice, the native agent recommended a new engagement being entered into, by which only 5,400 rupees would be secured to the Pol; thus tacitly permitting, at the same time, the nonfulfilment of the terms of the old lease, by which the Pagadar had been defrauded in the interim: Fourthly, Nursoo Luximon expressed no doubt as to the correctness of the revenue returns, although they display a falling off of upwards of one-third below the contracted average: Fifthly, The native agent admitted, without question, the Paruk's excuses that the price of grain had decreased in one village, and that too much rain had destroyed the cotton crops of another, although it was well known that average seasons had prevailed: Sixthly, The native agent proposed, without a question as to the correctness of the Paruk's claim, the appropriation of the funds in hand towards its liquidation.

The connivance of the native agent in the attempt to defraud the Pagadar was to my mind thus rendered too apparent. He suppressed the fact of the existence of the seven years' lease, which would have secured the full revenue, and alluded to the nisha (security) contract, merely as if it were an arrangement which the Paruck was at liberty to cancel at will; and he suggested the substitution of a new arrangement, by which considerable loss of revenue would be incurred. If induced to recommend the latter from conviction that the former was too severe, he was bound at the same time to point out that the seven years' lease was still binding, a fact which he supposed me to be ignorant of; and his failing to do so was surely sufficient cause for mistrust. I beg leave, moreover, respectfully to submit that I cannot interpret Nursoo Luximon's answers in his after examination (appended to my former report, marked B.) otherwise than I then did, when I stated, in allusion thereto, "I refrain from offering any comment, as it is therein sufficiently plain that I had good grounds for mistrusting his impartiality in this case, and to suspect that at least he was disposed to screen the delinquents."

It is remarked that Fudkey's report, para. 13, Art. I., admits that there were losses. "I beg to observe that although that person admits that the produce for one year (Sumvut 1903) would necessarily be less than that of the former year, but not to the extent mentioned by the Wywutdar, deficiency of 500 rupees may have occurred in the cotton, &c., but the other losses specified appear to be incorrect;" he elsewhere shows in the same para. how the revenue was defrauded to a far greater extent: thus—"The patells of Kas-seepoora have established between 35 and 40 families of Scindies in the village, to whom they have sold and mortgaged land, and on the plea of having disposed of it in this manner, the patels themselves receive the produce; some of the land has also been pronounced as belonging to other people. The system in villages of this description is, that the grain produce should be collected in the khullee, but there being several Scindies in the village; the patels and ryots are all concerned in a system of robbery, and keep the grain in their own fields and houses, and in the event of this grain being claimed as belonging

The inquiry into what the Paruck really got from the villages, and investigation into their management, which Government deems was unnecessary, "so long as the patels did not themselves complain of extortion, or any violation of their contract, or the Paruck of being unable to realize his dues," was instituted, and much vexatious trouble imposed on myself and others in consequence, because, when I insisted on the terms of the lease being acted up to, the Paruk attempted to justify his cancelling that contract, on the plea that the patells were unable to realize his dues; and the patells themselves told the same story, as their justification for not fulfilling the contract; whereas the inquiry proved that both parties acted in collusion to defraud the Bagadar. But as the scheme for cancelling the contract could not have been carried out without the aid of the native agent in blinding the Resident as to the nature and duration of the contract, his aid was therefore sought, and I have shown that it was obtained. In fact it was a repetition of the former conspiracy to ruin the Pol, and thus cause the resumption of the villages by the Durbar, in forwarding which object Nursoo Luxmon must have been instigated from that quarter.

13. Fudkey's report of August 1848, if true, shows that the villages are mismanaged. Probably they are so, but this is irrelevant to the question at issue, and his Lordship in Council is unable to understand how "any portion of that report reflects on Nursoo Punt. It was no part of his duty to manage the villages, or to see that the contract was observed, that the Pol was not defrauded, or that the village lands were not alienated."

REMARKS.—In reply to the observation that it was “no part of the native agent’s duty to manage the villages, or to see that the contract was observed that the Pol was not defrauded, or that the village lands were not alienated,” I have to remark, that, of course, that officer was never called upon to manage the villages; but when I found that through their mismanagement a repetition of the embarrassments regarding this pagadar, which had caused so much difficulty to Mr. Malet and Mr. Sutherland in the years 1837 to 1840, and the ruin of the pagadar would be the inevitable consequence of a continuance of such mismanagement, I deemed it my duty to interfere. As a preliminary step to doing so, I directed my native agent to inquire into, and report on, the subject, whose duty it was, I presume, to obey. It has been shown that he did not fulfil the duty, which, whether rightfully or wrongfully, I had imposed on him; that he attempted to deceive me as to the contract; that he did not point out how the Pol had been defrauded; and that he did not inform me that the village lands had been alienated, although in his reports he professed to place before me the whole case.

* Appended to my
Report, dated
7 September 1848.

The Honourable Board observes, "If the Paruk chose to relieve the patels from their contract to pay 5,701 rupees annually, this could not relieve him from the obligation to give Pol credit for that sum," which is exactly in accordance with my view of the case; and it is because Nursoo Luxmon sought to relieve the Paruk from that obligation that I questioned his honesty.

15. "Colonel Outram alleges in para. 7 much that is to the discredit of Nursoo Punt in regard to what is termed the cancelling of the lease, but the reasonings of that officer are not concurred in by Government. The lease in reality is not cancelled; it is in force to this

this day. It cannot be cancelled without the sanction of the Resident, and that has never been given. There is no reason for believing that this fact was not as well known to the Acting Resident, Mr. Andrews, as to the native agent. The lease was by the Pol's hand of the 14th January 1846, placed in the Paruk's hands. If he chose to relinquish the 'security,' this was his business. So long as he did not complain to the Resident that the patels did not furnish security or pay the full amount, there was no necessity for the Resident, or any one connected with the residency, to know whether the lease was enforced or not."

REMARK.—In the 7th paragraph of my report alluded to, I pointed out the fact of the native agent having endeavoured to mislead me into the supposition that the Paruk had the power to cancel the lease; I therein showed, moreover, how in his report he had endeavoured to effect that object, by alluding to its cancelment as a matter of course, and omitting to point out, what he thought I was ignorant of, *i. e.* that the Paruk had no authority to cancel the lease without the Resident's consent; whether he did or did not endeavour similarly to deceive Mr. Andrews, does not release him from the fault of having endeavoured to deceive me; and that the lease "could not be cancelled, and has not been cancelled to this day," is solely owing to my having enforced its fulfilment, after it had been permitted to remain a dead letter for two years, through the native agent's connivance, who endeavoured to induce me to admit the liability of the Pagadar to make good the loss which the Paruk pretended to have incurred during that period. That Mr. Andrews had been thus deceived by the native agent, I conclude, from the fact that that gentleman did not insist on the terms of the contract being acted up to; I have shown in my preceding remarks on paras. 11 and 12, that the Paruk and the patels were acting in concert in thus relinquishing the lease; and the examination of Nursoo Punt, appended to my report, pretty clearly shows that he had purposely omitted to quote the clause in the agreement, which pledged the patells to maintain the lease for seven years, in the report in which he professed to inform me of the whole facts of the case; whereas he quoted other portions from the agreement, which were not so material to the case.

Extract Para. 16.

* S. O.

16. "And if Nursoo Punt was informed of the facts of its being so (which, however, is a mere assumption), this* no crime. He affirms (*vide* answer to query 24) 'that it has always been customary to transact business in their (the Resident's) presence, and the native agent has never had private interviews with people on matters of business, neither has he ever interfered in any case without orders to that effect; whatever anybody had to say, was said before the Resident, &c.' His Lordship in Council believes this to be strictly true, especially as Colonel Outram does not gainsay it; it is a very easy process to assume that the native agent saw everybody, and knew everything, and then to argue that he concealed his knowledge; it is only one further step in the assumption that he concealed it from fraudulent motives."

† *Vide* Appendix (B.) to my former Report.

REMARKS.—That Nursoo Punt had been informed of the breaking of the "contract," I had not then, and I have not now, the shadow of doubt; and the following reply to a question which I put to him on the 26th August 1848,† indicates pretty clearly that he was so, although, of course, he professes not to recollect what the patels had said on the subject. "The patell's deposition was taken on the 2d and 15th October 1847, in which no mention is made of breaking the contract; but they state that they, in consequence of the grain not ripening, had said that they could not pay in that year according to the contract. By saying they reported the circumstance in the cutcherry, they mean that they told me of it, so there was no occasion to ask them who they spoke to on the subject; but in the deposition nothing is said about breaking the contract; and I do not recollect the patell saying to me what he, in his deposition, professes to have done."

It is, in fact, impossible that a person holding Nursoo Punt's situation, and having frequent intercourse with the parties most concerned in the contract, could remain ignorant of a matter of public notoriety, and which was never attempted to be concealed. In my report I stated that Nursoo Punt had frequent intercourse with the Paruk and patells, as, of course, he constantly had with all classes of natives; and I could then have proved the fact, as I can do now if necessary. But it appeared to me so much a matter of certainty that a native agent should hold similar intercourse here with suitors or others having business to transact at the Baroda residency, to what is elsewhere and everywhere maintained by natives holding his position, that I deemed it quite superfluous to expose the absurdity of his attempt to deny so self-evident a fact. Indeed, the Honourable Board, in the 14th paragraph of the letter now under reply, seems to admit the probability of this intercourse between Nursoo Punt and these people, thus, "Reasoning generally from what the parties may have stated to him (Nursoo Punt), he might, without any imputation of fraud have formed this opinion."

Extract Para. 17.

17. "As regards the accounts between Pol and the Paruk, his Lordship in Council quite concurs in the decision which Nursoo Punt advocates. He distinctly says that the Paruk cannot claim the Government guarantee to any sum beyond that advanced by him to the Pol for the payment of arrears due for the expenses of the paga, and the annual sum of 5,412 rupees. It is true the amount of arrears is not given in the bond; it ought undoubtedly to have been so; but to provide for this was the duty of the Resident, and not of the native agent, who declares (and there is no reason to doubt his word) that the whole transaction was conducted by Sir R. Arbuthnot in person. It is unfair to impute blame to the native agent for the Resident's acts or omissions."

REMARKS.—The obvious object of Nursoo Punt's report is to lead the Resident to suppose that while Government is not bound to interfere towards affecting* the liquidation of any debt beyond the arrears advanced by the Paruk to the Pol, and the annual sum of 5,412 rupees, still that so long as any debt remained due by the Pol, the management of the villages could not be taken from the Paruk. Thus the latter would be enabled to continue his system of mismanagement *ad infinitum*; that is, until the affairs of the Pol had become so irretrievably involved, that Government would have had no course left but to break up the paga, and to restore the villages to the Durbar. But this, as before remarked, could only be effected by the cancelling of the lease by which the full revenues were secured to the Pol.

* S. O.

2. A careful examination of Nursoo Punt's report will show how insidiously he manœuvred to impress me with the belief that no interference could be exercised, while at the same time he refrained from pointing out the inevitable consequences of non-interference, which I have just stated. In the eighth paragraph, he says:—"The sowcar imagines that the Resident is guarantee for the money due by the Pol; but it was Sir R. Arbuthnot's opinion that the Resident should not interfere in the matter, and that so long as the paga was properly managed, the drafts and villages should remain in the sowkar's hands." But he adds, "Notwithstanding this, if nothing remain due from the Pol, the drafts, &c., can be taken from him," the latter proposition being, as he well knew, already impracticable, because, in addition to the former arrears transferred from the old to the present Paruk (purposely not specified) the revenues had already, in two years, fallen by one-third below the contracted average. He then suggests:—"The sowcar advanced money to the Pol, and managed his villages as he thought proper, therefore the amount of interest, munotee, &c., received from the Pol should be put a stop to, and arrangements made for the payment of the Pol's debts," which certainly looks very fair, and would have been so, had not Nursoo Punt known that arrangements "could not be made" for the payment of the Pol's debt without the interference of Government, which he had previously represented could not be exercised, "so long as the paga was properly managed," which of course it would continue to be, until the debt had attained the maximum, which nothing but the entire transfer of the villages could meet. Nursoo Punt then proposes, with an admirable appearance of disinterestedness, the system of management to be carried on in the event of the (impracticable) arrangement being effected, limiting the Pol's expenses too, to 450 rupees per mensem, and "any balance that may remain" (already shown to be impossible, the balance being on the other side) "should be credited to the Pol." But, adds this upright adviser, "If the above-mentioned arrangements cannot be carried into effect, then the three years' allowance (from the Durbar), on account of deficiency from the years 1845-46 to 1847-48, amounting to 3,000 rupees, as per agreement, should be paid to him, and agreeably to the arrangement, he should take care of the paga and villages; if he failed in so doing, the management of the paga and villages should be taken from him." The latter alternative meaning, not that if the Paruk failed in taking proper care of the villages they should be taken from him, for he had already shown that so long as the paga was kept up, the Resident could not interfere with respect to the villages; but, in the supposition that the Paruk might decline to continue the charge, which Nursoo Punt well knew it was his particular object to retain. But his meaning was here purposely obscure; he might appear to be advocating the right to resume the villages when mismanaged, and such I dare say he wished me to understand,† although contradictory to what he had previously advanced. Had I admitted the arrangement on that understanding, it might have continued a few years longer, until the Pol's debt had attained the required maximum, when it would have been claimed, and then, when the Resident determined on resuming the villages, he would have found that he could not do so without discharging the entire debt, however exorbitant; so large, indeed, that the Government would, it was supposed (and this was the drift of the entire transaction), rather abandon the villages to the Durbar, and relinquish the services of the paga, whatever the consequences to the Pol.

3. But it may be asked, why should Government recognise an exorbitant claim against the Pol, arising out of the mismanagement of his villages, since it was not bound to interfere. The answer is plain: whenever it suited the Paruk to compel the interposition of government,

† And in this manner he endeavours to explain away the difficulty in his answer to my 17th question on the 28th August, but his after explanations do not relieve him from the contradiction, or from the belief, that he himself fully understood the real nature of the obligation.

ment, he could do so by ceasing to support the paga, and then it would have been found that the British Government was pledged by its Resident, Sir R. Arbuthnot, not to interfere with the villages, "so long as any debt arising therefrom shall remain unpaid," and but for the infringement of the engagement by the Paruk, and abandoning the seven years' lease, this pledge could not now be departed from.

4. That this was the object of the conspirators, and such would be the consequence of allowing matters to go on as the native agent wished they should go on, was too apparent to permit me to shrink from the trouble to be encountered in arresting the plot. The result has been, that although the villages have been made over to the Durbar, the entire personal nemnook of the Pol has been secured to him, and the paga is maintained for the service of Government.

5. With respect to the supposition that Nursoo Punt could be no party to the drawing up of the Pol's engagement, wherein it is omitted to specify the amount of arrears due, I can only say that it has never been the custom of any Resident here, before or since, to transact business of this nature with natives, otherwise than in the presence of the native agent, if not with his assistance. It is so very improbable that Sir R. Arbuthnot should have acted otherwise on this occasion, or that Nursoo Punt could have otherwise than have had cognizance of, and been consulted regarding the final arrangement of a dispute, which, according to his own account, "continued for about six or seven months," that I am reluctantly compelled to differ with the honourable Board in opinion, that there is "no reason to doubt his word" to that effect; moreover, on examining the original document, I find, that though the first half of it is written by the Paruk's carkoon, the latter part, *i. e.*, that which relates to the lease, is in the hand-writing of a karkoon of this office, which shows that it must have been brought to the residency before being concluded, and that it must have been completed in this office, where no subordinate carkoon could be employed on such a work, excepting under the orders of the native agent. Nursoo Punt says, in his report, that Sir* Arbuthnot, "without inquiring what arrangement passed between them, endorsed the agreement; consequently, the agreement not having been drawn up in that gentleman's presence, it follows that it must have been so in the office, where Nursoo Punt always presided in person. The carkoon who was employed on the occasion having been transferred to the Rewa Kanta office, is employed as mehta at a considerable distance from Baroda, I have not, therefore, thought necessary to send for him to prove what is so obvious. But the man can be examined on the subject, if required. Afterwards, at his subsequent examination, Nursoo Punt says that Sir† Arbuthnot himself drafted the agreement. I have already pointed out the very evident cause of the discrepancies between Nursoo Punt's report and his after examination.

* S. O.

† S. O.

Extract Para. 18.

18. "The Paruk claims a large balance from the Pol for sums advanced annually beyond the stipulated amount of 5,412 rupees. Nursoo Punt distinctly states, that for this the British Government is not guarantee (*vide* answer to 17 question, at its conclusion). In so doing his Lordship in Council can perceive no desire on the part of the native agent to aid the Paruk in an unjust demand."

REMARKS.—I have shown, in the preceding remarks, that Nursoo Punt's reports were calculated and intended to lead me to believe that the Resident's interference could not be exercised so long as anything was due by the Pol, whether or not "beyond the stipulated amount." His reports were written in June and July, while yet he believed himself possessed of my entire confidence, and expected me to be guided by his opinion; his replies here referred to, on the 26th of August, were made after he became aware that I had found him out; and when it was necessary to explain away his former meaning to escape the consequences of the deception he had attempted to practice, then it was that he entered into the elaborate explanation in reply to my 17th question, where he then attempts to make it appear that he was impressed with, and had disinterestedly advocated the opposite opinion, that is, that Government is not guarantee for any debt incurred by sums advanced beyond the stipulated amount.

2. Had it not been his object to deceive me into this belief, as he evidently had also done Mr. Andrews, why did he not place before that gentleman, and afterwards before me, the pledge endorsed by Sir R. Arbuthnot on the back of the Pol's engagement with the Paruk. In the translation of that document, forwarded with Mr. Andrews' letter, dated 13th August 1846, Sir R. Arbuthnot's pledge is omitted, Mr. Andrews doubtless having been led to suppose that the engagement had been endorsed merely with the Resident's signature, as Nursoo Punt intended. I also should infer from the manner in which he alluded to it in his report thus: "the Resident, without inquiring what arrangement passed between them, endorsed the agreement which the Pol gave to the Paruk, a translation of which was forwarded by Mr. Andrews to Government on the 13th August 1836."

3. It is scarcely possible that, had the original papers been placed before Mr. Andrews, or true copy of it, with Sir R. Arbuthnot's pledge attached, that gentleman would have omitted so important a portion of the document, which it will be seen does distinctly pledge the Government not "to interfere with him (the Paruk) in the management of the villages, so long as the conditions of the bond are fulfilled, or any debt arising therefrom shall remain unpaid."

4. The reason why this important pledge was kept back is apparent. It would have at once opened the Resident's eyes to the fact, that Government was bound either to make good the sowcar's claims whenever he chose to enforce them, or abide by the alternative of leaving the villages in his hands. Had the real nature of Sir R. Arbuthnot's pledge not been purposely kept from Mr. Andrews, it would have been shown to me by the native agent, who had a copy of the document in Mahratta and English in his possession, instead of his merely referring me to the translation of that document (*minus* the pledge), which was attached to that gentleman's report, and it was only after Nursoo Punt knew that I had become aware of the nature of that pledge, that he endeavoured, at his subsequent examination, to recover his position by arguing the point, as if he had all along believed that the pledge was of no consequence, as not binding the Government in the manner I have shown. That it does so, I now quote Sir R. Arbuthnot's words to show: "This engagement has been executed before me by Gorajee-bin Sobhanjee Pol, and accepted by Chotooolal Kussunlall Kandass, banker in Baroda. The villages and chittee mentioned in it being now held by Gorajee Pol under the British guarantee, the same is hereby extended to Juggewandass Kandass, to the extent that the said Gorajee Pol shall not interfere with the said villages so long as the conditions of the bond are fulfilled, or any debt arising therefrom shall remain unpaid, or his paga of 21 horse-men shall be maintained on its proper footing."

Extract Paras. 19, 20, and 21.

19. "Colonel Outram dwells much on the obligation which the Paruk had entered into in the bond, not to expend a rupee beyond a certain sum, 5,412 rupees, *vide* para. 6 of his letter, in which he further states, neither does the native agent in his report, nor did he ever do so verbally, bring to my notice that the Paruk was pledged in his bond to limit the expenditure to 5,412 rupees."

20. "After a very careful perusal of the bond, his Lordship in Council can find no such stipulation or pledge. The Paruk binds himself to pay yearly for the expenses of the paga 5,412 rupees, but there is not a syllable to pledge that he will not advance a single rupee more. The native agent, therefore, is not to be blamed for not bringing to the Resident's notice a fact which has no existence. The sum of 5,412 rupees was the minimum amount which the Paruk bound himself to expend, and the maximum amount for which Pol's villages were liable under the bond, and to which the guarantee extended. If he chose to advance more, he became a mere ordinary creditor of the Pol for the excess."

21. "Whatever were the conditions of the bond, Colonel Outram was as able to know them as Nursoo Punt himself. The bond itself was before him, and if he could not read the original, the translation sent to Government by Mr. Andrews was sufficient. It cannot be supposed that Nursoo Luxmon, a man not deficient in ability or acuteness, could have thought that Colonel Outram would have decided a matter of this kind, without looking at the principal document connected with it, or that he would have been so egregiously blind as not to see that if, from any improper motive, he misrepresented the contents of the bonds, his scheme could not remain for half an hour undetected."

REMARKS.—The terms of the bond, as translated by Mr. Andrews, are, "I am to receive from the month, &c., 451 rupees per mensem for the expenses of paga, pay of the Bargeers, &c., Khassa allowance for self and relations," not specified in Mr. Andrews' translation, but so in the original, "making 5,412 rupees per annum, you are to receive in lieu thereof the entire annual revenues of my Domalla villages, naming them, and also the entire amount that I may receive annually by notes from the Sircar," which, if not actually specifying that the expenditure was to be limited to that amount, certainly was so understood, and so intended by Sir R. Arbuthnot, whose chief object in sanctioning the arrangement was to check the improvidence of the Pol, and this was well known to the native agent, who took care not to bring the fact to my notice.

Extract Paras. 22 and 23.

22. "How far the Pol is liable for sums which the Paruk can prove to have been paid to him, or by his authority beyond the arrears, and the annual sum of 5,412 rupees, is another question. For the recovery of such excess the Paruk clearly can claim neither the interference of the Resident, nor the possession of the villages. But he is not prohibited from urging his claim before a competent court. Government would in all probability, as it is bound to maintain the efficiency of the paga, not permit any tribunal, if it thought the demand against the Pol just, to interfere with the management of the villages assigned for its support, but it could not object to its liquidation from any other property that the Pol might possess."

23. "On these grounds his Lordship in Council cannot see any great impropriety in Nursoo Punt's suggestion, that any sum really due to the Paruk beyond the 5,412 rupees, after deducting the revenues of the villages, should be paid from the sum received from the Durbar. If the Pol really owed such a balance (and this Colonel Outram does not doubt, *vide* para. 14), he might have justly thought that it should be paid, although there were no guarantee to it.

This would have been at least a better mode of disposing of the money received from the Durbar than to make it over to Pol, who would at once have squandered it; and it is solely from a desire, on the part of Government, to avoid any interferences in unguaranteed affairs, that I am directed to instruct you, when the expenses alluded to in the 6th para. of this letter shall have been provided for, to make the balance over to the Pol instead of his creditor. Should any competent court make an award against him, the remainder of these balances should be held available in liquidation of it, in preference to the measure now directed of paying them to Pol."

REMARKS.—As the Pol had no other property whatever than the income derivable from these villages, and the annual allowance from the Durbar, all of which was made over to the Paruk; on the contrary, he being in debt when the Pol took the management of his affairs, whose debt to the Paruk himself had greatly increased since then to an amount far beyond the sum received from the Durbar (the latter amounting to Rs. 4,658. 6. 9., the former to Rs. 15,532. 15., after deducting the revenues of the villages), besides the debts which the Pol may have incurred elsewhere, it is obvious that no means existed "from any other property the Pol might possess" to meet the claim of the Paruk, consequently I might well have considered that there was much impropriety in Nursoo Punt trying to induce me to allow the Paruk to swallow up, without question, the only available funds. But all I observed on the subject was, "The native agent's third report on the disposal of the sum received from the Durbar requires little notice beyond the observation that it is therein shown that the Paruk's demand against the pagadar up to October last (the end of the second year of his management) amounted to Rs. 15,532. 15., and that Nursoo Luxmon, without a question as to the correctness of the claim, or the right of the Paruk to incur such expenditure (although he hints a doubt as to the Government being responsible therefor) suggests the appropriation of that money towards its liquidation."

With respect to the following assumption in the 23d para., "If the Pol really owed such a balance (and this Colonel Outram does not doubt, *vide* para. 14)." I have to observe, that the paragraph of my report here referred to, so far from admitting the justice of the balance claimed by the Paruk from the Pol, points out that the appended depositions "prove the utter worthlessness of the accounts on which the Paruk has grounded his claim," and that I was of opinion that "we may justly reject the Paruk's claim to anything beyond what he was authorised to expend under the bond guaranteed by Sir R. Arbuthnot, amounting in two years to Rs. 10,824, against which is to be opposed the full amount of the village revenues, as guaranteed in the seven years' lease, amounting for the same period to 11,400 rupees, thus a balance of 576 rupees is in the Pol's favour. But I continued, it remains for Government to decide whether the levy of this balance is to be enforced, and if so, in what manner; but at the same time I am bound to state that I have no doubt the Paruk, has to purchase the Pol's connivance, advanced sums beyond the stipulated limit, but certainly not nearly to the extent debited in his accounts."

Extract Paras. 24 and 25.

24. "Matters might, in the opinion of Government, have been better conducted had the villages been managed by the Resident. But so long as the Paruk is considered bound to give Pol credit for the amount of seven years' lease, it is clear, as urged by Nursoo Punt, and admitted by Colonel Outram, that this could not be effected without a previous settlement of the Paruk's claims. In fact, this consent was obviously necessary to the arrangement, unless it could be shown that he had in any way infringed the stipulations of his bond."

25. "When Nursoo Punt was asked by Colonel Outram why this arrangement had not been carried out, he stated the objection, and also that it was requisite previously that the answer of Government should be received as to the exact amount available from the arrears of the 1,000 rupees per annum paid up by the Guicowar. This second reason Colonel Outram stigmatises as a mere excuse for delay. To his Lordship in Council, however, it seems a valid reason, because, until that answer was received, the account between the Pol and the Paruk could not be adjusted, and there is therefore nothing suspicious in Nursoo Punt's having advanced it."

REMARKS.—The arrangement for making over the villages to the Paruk had been carried into effect by Sir R. Arbuthnot, under the advice, it may be presumed, of the native agent, in whose office the engagement was drawn up. But though I admitted that the arrangement could not be departed from so long as the Paruk gave credit to the Pol for the amount of the seven years' lease, yet, he having failed to give that credit, and chosen to abandon the lease, I had no hesitation to assume the direct management of the villages, stating, in my 16th paragraph, of course, after such gross mismanagement on the part of the Paruk, I have not considered it necessary to consult his wishes as to the termination of his engagement, and have placed the villages under the superintendence of a residency Mehta.

With respect to the arrears claimed by the Paruk, it is stated in the 17th para., previously quoted, "His Lordship in Council quite concurs in the decision which Nursoo Punt advocates. He distinctly says, that the Paruk cannot claim the Government guarantee to any sum beyond that advanced by him to the Pol for the payment of arrears due for the expenses of the paga, and the annual sum of 5,412 rupees." Again, in the next paragraph, it is observed, "The Paruk claims a large balance from the Pol for sums advanced annually

annually beyond the stipulated amount of 5,412 rupees; Nursoo Punt distinctly states, that for this the British Government is not guarantee." But here, in the 24th para. it is decided by the same authority, "So long as the Paruk is considered bound to give Pol credit for the amount of the seven years, it is clear, as urged by Nursoo Punt, and admitted by Colonel Outram, that this could not be effected without a previous settlement of the Paruk's claims." The discrepancy here displayed, of Nursoo Punt at one time declaring that the Government is not guaranteed for the balance claimed by the Paruk beyond the stipulated amount, and, at another, that the villages could not be resumed without a previous settlement of the Paruk's claims (having reference to his entire claims, for it is in his first report on them that Nursoo Punt makes the assertion), does not appear to have occurred to Government. In my remarks on the 18th para., I have shown that the latter assumption was ventured by the native agent while yet he was unaware that my suspicions were awakened, and still hoped to mislead me by his representations, and that the former opinions were advanced two months subsequently, when he saw that his roguery was detected, and that it was necessary to back out of the scrape.

In the 25th paragraph an opinion which I had formed, and thus expressed in the 3d paragraph of my report, "the latter objection need not have been urged had an excuse for delay not been sought," is thus animadverted on. "This Colonel Outram stigmatises as a mere excuse for delay. To his Lordship in Council, however, it seems a valid reason; because, until that answer was received, the account between Pol and the Paruk could not be adjusted, and there is, therefore, nothing suspicious in Nursoo Luxmon having advanced it." With the utmost deference I beg to explain, that the answer from Government here alluded to had reference merely to the amount of certain arrears claimed from the Durbar, which had to be paid to the Paruk on account of the Pol. Whatever that amount might be, it would have been duly made over to the Paruk when that answer was obtained, and with interest, if unusual delay had occurred. I could not, therefore, see why that circumstance should be any reason for further delaying to arrest the ruinous mismanagement of the villages by at once resuming them.

Extract Para. 26.

26. "There appears, moreover, nowhere throughout these proceedings any admission by Nursoo Luxmon of the correctness of the Paruk's account of the sums disbursed by him to, and by order of the Pol. Colonel Outram does not allege that Nursoo Punt ever examined them in detail, and his Lordship in Council understands them to have been received from the Paruk subsequently to the Resident's suspicions having been excited. Had Nursoo Punt examined these accounts, and proposed to allow the Paruk credit for objectionable or unreal items, then there might have been some reason for doubting his uprightness."

REMARKS.—The 5th paragraph of my report states, that I had called upon Nursoo Luxmon to furnish me with written reports. "First, on the estimates, or Kucha accounts, furnished by the Paruk for 1902 and 1903," (the two years in question), which shows that he had the details before him; and it is obvious that he could not report thereon unless he examined them in detail: for which, as I have already observed, he had ample time, being occupied with his report from November 1847, when the accounts were received, until June 1848, when his report was delivered. Moreover he had the original accounts and vouchers before him for some days in July before his second report was delivered; and his third report, regarding the disposal of the money, was composed subsequent to those above mentioned. He had, therefore, ample opportunity for examining them in detail. And it is in this third report (as well as indirectly in the previous ones) that Nursoo Punt proposes to make good the Paruk's claim to arrears from the Pol, amounting to Rs. 15,532. 15., without any reference to the fact that one-third of those arrears had arisen from the unauthorised relinquishment of the lease. Thus, "this balance (Rs. 4,668. 6. 9. received from the Durbar) is required to be paid to the Paruk on account of the Pol; but pending the inquiry in the accounts of the Paruk (which I had just deputed Mr. Battye to reinvestigate after Nursoo Punt had terminated his examination of them), if the money is kept in deposit, there would be a loss in the interest, as the Pol has taken a lease from the Paruk, for which payment is due. The Paruk has struck a balance against the Pol up to October 1847 of Rs. 15,532. 15., from which, if the above 3,000 rupees be deducted, leaves a balance of Rs. 12,532. 15. There is, therefore, no objection to pay the Paruk the balance above shown, viz., Rs. 4,658. 6. 9." So far the real object of Nursoo Luxmon is expressed; that is, to allow the Paruk credit for the objectionable item of Rs. 15,532. 15., the details of which he well understood. But, of course, with his usual affectation of disinterestedness, he goes on to suggest the precaution that the Paruk "should furnish a writing to the effect, that should the money be demanded by Government he should refund it; by taking such a writing from him on which payment is to be made, he will show some desire to have his accounts settled." Sir R. Arbuthnot's pledge (which had been held back when his first report was made) having in the mean time been produced, after he (Nursoo Punt) saw that my suspicions had been excited, to the effect that the Paruk's management of the villages should not be interfered with, "so long as any debt arising from the bond shall remain unpaid."

Extract Para. 28.

28. "On a careful consideration of the circumstances of the case, his Lordship in Council is of opinion that there are, as shown in the papers before Government, not sufficient grounds for any suspicions that in this affair of Gorajee Pol, Nursoo Punt has acted otherwise than as a faithful servant of Government. Colonel Outram appears to have exacted from the native agent a duty and responsibility of a very unusual nature; one, in fact, which ought more properly to have devolved either upon himself or his assistant. When, moreover, the Resident was dissatisfied with the manner in which the duty had been performed, the native agent was subjected to a most searching cross-examination, from which he escaped without any criminatory matter being elicited against him, his replies to the Resident's interrogatories being candid and straightforward, and not those of a guilty man's."

REMARKS.—I confidently trust that the explanations which I have now offered will relieve me from the imputation of having expressed suspicions against my late agent, Nursoo Punt, in connexion with this affair of Gorajee Pol, on insufficient ground. And I hope that the Right honourable the Governor in Council will also consider that with such causes of suspicion as I have shown to have then existed, my opinion of the conduct of Nursoo Punt was conveyed in unobjectionable terms; and with as much consideration for that individual's former services as the case would admit of, thus expressed in the second paragraph of my report: "I regret to add, that my native agent, instead of exerting himself to arrest the evil which he must have known was going on, has not aided me to the extent that he ought to have done in bringing the real state of Gorajee Pol's to light, whether caused by apathy and most blameable carelessness, or culpable collusion with the Paruk in the frauds the latter has been carrying on, I am unable to say, and must leave Government to form its own opinion on the evidence herewith submitted; but in this case, as in that which I reported on the 31st ultimo, I venture to express my hope that, in consideration of his long services, the most lenient view the circumstances will admit of will be taken of the native agent's conduct."

Extract Paras. 29, 30, and 31.

29. "The charge against Nurso Punt, arising out of the case of Govind Row Guicowar's debt to the firm of Hurry Bhugtee, are:—

"1. That his report (B.) on this claim, instead of clearing up the Resident's doubts, only added to his suspicions (paragraph 2); and to cite Colonel Outram's words, in paragraph 6, 'he neglected to point out to me causes of suspicion, which he now acknowledges to exist, and others which I have indicated, which, although he does not admit, could scarcely otherwise than have occurred to so shrewd a native as he is.'

"2. That he did not produce or allude to the accounts marked (E.) and (G.), which had previously been given in by the sowkar.

30. "Nursoo Punt's report (B.), is, I am desired to observe, simply a statement of the facts of the case. It does not appear that in it he committed himself to a single opinion. It therefore by no means bears the character that the Resident has given to it (para. 2), as embodying Nursoo Punt's views on the demand. It is impossible to say what precise points Colonel Outram directed that the report should embrace. In his answers to the first question, in his examination of the 31st August (D.), Nursoo Punt observes that he was asked for a statement of how the matter stood, and he simply gave it, but without a word of comment.

31. "In his examination (D.), his opinions on the transaction are to be found. He would at once unravel the intricate knot, by giving as interest only a sum equal to the amount of the principal, an opinion in which, on a careful consideration of the case, Government has concurred, as intimated to you in my letter of the 15th ultimo, No. 5,249, and after this, it is quite unnecessary to go further to decide in his connivance at a fraud, or his collusion with the firm, and this fact at once acquits him of all participation in the injustice which the firm may have desired to perpetrate."

REMARKS.—I have no hesitation in expressing a very decided conviction that had one-half the attention been bestowed on the charges against Nursoo Punt arising out of the case of Govind Row Gaekwar, which was devoted to those connected with the case of Gorajee Pol, Government would have been spared the annoyance they must now experience at having been betrayed into the acquittal of a man of whose guilt no doubt can henceforth exist. The charges founded on the case of Govind Row Guicowar were communicated to Government seven days before those arising out of the Pol transaction, and the fraud imputed in the former was vastly more extensive than that involved in the latter, while the merits of the matter were far more patent, and the questions to be determined very considerably less intricate. Uninfluenced, however, by these considerations, Government, as has been seen, was induced to bestow its chief attention on the case last preferred, and the one most beset with difficulties, and having after a most elaborate notice of it acquitted the native agent, they seem to have entered into their cursory examination of the other case, with the conviction that he who had been declared innocent in one instance, must necessarily be free of guilt on all.

Had it been otherwise, I cannot believe that they would so hastily, and as events have proved, so erroneously, have assumed that the fact of Nursoo Punt having in his examination (D.), expressed an opinion that "only a sum equal to the amount of the principal shall be given as interest," was one, "which at once acquits him of all participation in the injustice which the firm may have desired to perpetrate." Nor would they, I think, on the strength of the fact adverted to, have so unhesitatingly deemed it "quite unnecessary to go further, to decide on his connivance at a fraud, or his collusion with the firm."

On the contrary, but for such a conviction as I have supposed influenced their minds, they could scarcely have failed to perceive that the apparently disinterested suggestion of of Nursoo Punt was not made till it had become evident to him, from the previous examination of the sowcar, that the cheat had been detected. After its detection, any further attempts to screen the delinquents would have been wantonly to compromise his own position. He was aware that his report (B.)* calculated (as it was intended) to mislead me into forwarding the views of the firm, was itself enough to justify my worst suspicions; and his only chance of escaping conviction was, by following the course his sagacity impelled him to pursue, viz., preferring at the eleventh hour a recommendation adverse to the claims which he knew would not be admitted.

* This refers to the Appendix (B.) to my report, dated 31 August 1848.—J. O.

The sowcar's claim was first advanced before me on the 6th July 1848. I then called on Nursoo Punt to furnish me with information as to all the circumstances of the case, with which he could not otherwise than have been conversant, the claim having previously been prosecuted since he came to the office, and I could have no doubt it must have been well considered by him, for his leaning towards the interests of Hurree Bhugtee's firm had long been apparent to me, as I have already shown. The native agent's verbal representations were in favour of the claim, but circumstances strengthened my suspicions that there was some fraud in the case, and I therefore directed Nursoo Punt to procure the accounts and furnish me with a written report on the subject. The accounts were all obtained by the 5th August, and on the 21st of that month he submitted his report, which professed to represent all the facts of the case; but so far from doing so, he therein details (6th para. of report) the several items composing the sowcar's claim, amounting in all to Rs. 3,03,130. 9. 9., with the remark, "the above balance remains to be recovered, which amount has been closed up to the Dewalee," (July 1848) suppressing the fact that the item of Rs. 1,91,873. 3. 9.,* arose out of a substituted bond of the year 1820, fraudulently made to represent a portion of the bond of 1831, as proved in my reports dated 31st August 1848 and 30th July 1850; likewise the fact, that claims on the latter alone were admissible, as having been guaranteed by the Resident. True he says, with regard to the former, that "the khut for 1820, was not recorded in this office formerly," "but" he adds, by way of establishing its authenticity, "allusion is made to this deed in the bond for 10,001 rupees of 1830, in the latter of which it is written that interest should be calculated every 12 months, and added to the principal," and to impress me with the conviction that the Resident was bound to recognise the claim on the old bond, which he here assumed to represent the 9,000 portion of that of 1830, (its total being 19,001) he adds "to this deed, Mr. Williams (the Resident's) signature is attached as a witness," suppressing the facts however, which, as detailed in my reports, prove that the old bond for 90,001 rupees could not represent any portion of the bond for 1830, and which, as I therein remark, "could scarcely otherwise than have occurred to so shrewd a native as he (Nursoo Punt) is." Not one word of doubt does the native agent express in his report as to the correctness of the claim arising out of the old bond, nor does he point out a fact which, at any rate was known to him, namely, that the interest on the old bond at 12 per cent. now demanded by the sowcar, differed from that which he had previously claimed in 1845 (at nine per cent.), by which an excess of Rs. 81,511. 9. 9. had been created; that this must have been known to "so shrewd a native" cannot be doubted, for the former claim was submitted through himself (in 1845) and the document had remained on his records ever since; moreover, Nursoo Punt omitted to point out to me the important fact, that according to his conviction (admitted in his after examination, *vide* reply to my third question), "ten times too much interest had been charged by the sowcar." This he was aware of before writing his report, prepared for my guidance, wherein without a doubt expressed as to the correctness of the claim, he thus disposes of the extortionate demand, "the above balance remains to be recovered."

* *Vide* accompaniment No. 1, to my report, dated 31 August 1848.

5. And certainly, under any circumstances, but especially after the uniform zeal for the interests of the firm of Hurry Bhugtee, and evident close understanding with its managing goomasta Baba Nafra, which I had remarked in Nursoo Punt during the fifteen months I had then been in office, I should have been blind and blameable indeed had not my suspicions been awakened; neither can it, I think, be considered unreasonable that those suspicions should in no ways have been allayed by Nursoo Punt's subsequent explanations, given after he found from my previous examination of the sowcars, that I had become aware of the real nature of the transaction. Extracts from those examinations I here subjoin, which, to my humble judgment, tend far more to establish that individual's complicity in the attempted fraud, than to clear him from suspicion.* It remains for me to remark, however, with respect to the observation in your 30th para., "It is impossible to say what precise points Colonel Outram directed that the report (of Nursoo Punt) should embrace," that the queries which I put to Nursoo Punt, appended to my first report, very clearly show that I had called on the native agent for all information relating to the case on which he was directed to report, and this was understood to embrace (as all his reports were expected to do, and his report on the Gorajee Pol case just disposed of,

shows that he was in the habit of giving) his own opinion on the merits of the case; consequently where Nurso Punt omitted, as in this instance, to express any doubts as to the correctness of a claim thus submitted for his report, it was of course to be understood that he considered the claim unexceptionable.

Extracts from Examination of Nursoo Punt, on the 26th August 1848.

Question 1. "FROM the answers giving by the goomashta of Hurry Bhugtee's firm, relative to the claim of Govind Row Guicowar, do you think there is any ground for suspicion, &c.?—*Answer.* From the first question which you put to Echaram goomashta, as to the difference in the date of the bond and Resident's signature, it appears suspicious as to how this mistake could have occurred."

"In his reply to the second question, relative to the entry of arrears in the new bond, it certainly seems extraordinary that the date of the old bond was not specified."

"Regarding the replies to the 3d and 4th questions, relative to the one rupee not being included, and his not specifying the amount of arrears, I don't think any suspicion can attach."

"Referring to the subject of the five questions, as to the balance of the 32,002 rupees, there is the same doubt in my mind as alluded to in the paragraph regarding the second question, that two bonds are referred to and no year is specified relative to the item of the old agreement.

Extracts from the Examination of Nursoo Punt, on the 31st August 1848.

Question 2. "On my asking you for your opinion regarding the deposition of Hurry Bhugtee's goomashta, taken before me on the 26th instant, you expressed some suspicions, why therefore did you not mention those suspicions in the report which you wrote regarding the claims against Govind Row Guicowar?—*Answer.* The firm of Hurry Bhugtee presented you with a yad, in the month of July (6th) ** you then asked me the circumstances of the case, and I informed you that according to the orders of Government they had, up to that date, received the balance of the draft, and that the principal amount had nearly been adjusted; but what amount of interest they were to receive was not clearly understood from the instructions of Government; you then desired me to procure the accounts from the Paruk, which I accordingly did, and on your telling me to write a report, I furnished you with a brief statement of the steps which had been taken in the matter. You afterwards sent for the original bonds" (*N.B.* correct copies had previously been furnished) "and put questions to the goomashta. At that time it appeared to me that in the bond for 19,001 rupees of A.D. 1830-31, an item of arrears for 9,000 rupees was included without date, and my suspicions were excited, similar to those of the Resident; and when I wrote my report, I did not observe that there was no date to the item of 9,000 rupees." (*N.B.* The copy of which item, which was with Nursoo Punt when he wrote his report, showed there was no date), "consequently had no suspicions; if I had I should not have neglected to have mentioned them."

3. "Was it not your duty as native agent, when I called for your reports, to carefully examine the accounts and inform me of the result?—From the accounts furnished by the sowcar, it appeared that ten times too much interest had been charged; but I thought that as Mr. Williams had written to Govind Row Guicowar, that 10 rupees a day would be deducted from his nemnook, on account of his debts, the compound interest due to Hurry Bhugtee, on 32,002 rupees, could not possibly have amounted to so large a sum; but under any circumstances, according to the custom of the British Government, the sowkar could not receive more than the amount of his principal." (*N.B.* Then why not mention this in his report?) "Under this impression I did not examine the accounts, but merely reported briefly on the subject; consequently the fact of the sum of 9,000 rupees not being dated did not at first strike me." (*N.B.* That fact was obvious on the face of the copy of the bond, which was before Nursoo Punt when he wrote his report, consequently no reference to the accounts was necessary to show it.)

"Was it not your duty at any rate to see whether the accounts produced by the sowcars were correct or not?—The date of the accounts produced by the sowcar agreed with those of the two bonds which were in the office, and as the old agreement was not in the duftur, a copy was obtained from the sowcar, dated 1819-20, and the dates for which the money was paid to him from the treasury, as also the interest, was examined by Narrain Row, and the accounts were given to the shroff, who reported that the interest was correct. I did not at that time observe that there was no date to the item of 9,000 rupees; if I had I should have examined the sowkar's chopras, which was not done."

Extract Paras. 32 and 33.

32. "On the second charge, Nursoo Punt admits that the document E. and G. had been received in the office at the periods of their dates in 1842 and 1845, and can only urge that the latter, which had been received three years back, and since he joined the office (in June 1844), had escaped his memory. He gives a detailed account of the search being made for its discovery, and that of the memorandum of 1842, and he attributes the difficulty of finding

finding them to the impossibility, with the existing establishment, of keeping the dufter in proper order, and registering all the documents received."

33. "This story is plausible. The question is whether it is true. Colonel Outram (para. 5) admits the possibility of its being so, but he took no steps to ascertain the facts. There is no examination of the karkoons as to the circumstances of the search, and no explanation whether the dufter is in the state alleged, and whether, from the inefficiency of the establishment, it is necessarily so."

34. "Government has before it the bare fact that the documents were missing and were subsequently discovered. Were there the slightest ground for suspecting collusion between Nursoo Punt and firm, his Lordship in Council would not hesitate to view it with some suspicion. But the only known circumstance bearing on this point at all, viz. his suggestion that no interest should be allowed beyond a sum equal in amount to the principal, has a directly opposite tendency."

REMARKS.—Nursoo Punt's story appeared to me so very improbable as to be quite unworthy of belief; and not supposing it possible that it could obtain a moment's credence from Government, I took no further steps in the matter. Satisfied that ample ground had been shown for the suspicions which I entertained against the Native Agent, I was content that, "in consideration of his long services of 30 years," he should be allowed the benefit of the shadow of doubt that remained; it being just "possible," I remarked, "he may have overlooked these facts through inattention, and mislaid the documents through carelessness." And I think an attentive perusal of my report, dated 31 August 1848, and especially of the facts stated in my 5th para., must impress most minds with the idea, that in recommending so charitable a construction of Nursoo Punt's conduct, I stretched leniency to the utmost length the circumstances of the case would admit of; but had I been then aware, as I now am, of that individual's close family ties with Baba Nafra, the managing goomastha, who attempted the fraud, and had such a large stake in the scheme, my conscience certainly would not have admitted even that slender doubt. As it was, far from anticipating reproof for "lightly" entertaining suspicions against the man, I really considered myself liable to reprehension for regarding the strong presumptive evidence against him as admitting even the possibility of a doubt.

2. Since the result, however, is so contrary to my expectations, I am under the necessity for entering more fully into the case of the missing documents E. and G., here referred to, than I thought necessary when formerly reporting on the subject. As preliminary thereto, and the simplest mode of explaining the nature and importance of those papers, I take the liberty of quoting the following extract from the 5th paragraph of that report:—

"But I cannot acquit him (Nursoo Punt) of the suspicion of having purposely withheld the papers E. and G., as well as concealed the information they contained, which, of course, ought to have been given in his report, and would have disclosed the dishonesty of the Sowcar's present accounts; for although possibly he might not detect the fraud perpetrated in E., from its having passed unquestioned before he took office, it appears most strange that he should have overlooked the discrepancy between the claim advanced on the 5th ultimo, and the account which he had in his possession, being a difference of upwards of 81,000 rupees, or if he had really mislaid or forgotten that document, with which he had been entrusted only three years' back (a carelessness of itself inexcusable), that the discrepancy between the account now rendered, and the terms of the bond which are quoted in the Sowcar's yad presenting the same, should have escaped his observation, 12 per cent. being charged in the former for a portion of the debt; whereas 9 per cent. only is specified in both bonds."

It is to be remembered, the sum involved in this claim, the fraudulent nature of which would have been disclosed by the production of the documents E. and G., amounted to Rs. 3,03,130. 9. 9; in securing which, Nursoo Punt's relative, Baba Nafra, was the party most interested; a person who, for former malpractices, had been ordered by Government to be excluded from the Residency, and whose connexion with Nursoo Punt would have caused Government to prohibit his appointment as Native Agent, had they been aware of the fact before his nomination. It is also to be borne in mind, that the extortionate nature of the claim has since been admitted by Government, who rejected nearly nine-tenths of the demand. The importance of the documents E. and G., therefore, to the prosecution of Baba Nafra's scheme, is obvious. But for their production, and especially that of G., which had been entrusted to the Native Agent himself only three years before the fraud, might have remained undetected. Under these circumstances, it is so highly improbable that a paper so recently given into Nursoo Punt's keeping, on which depended so large a stake to his friend and relative as three lacks of rupees, could have been forgotten or carelessly left among the loose papers of former years, while all other papers relating to the same case, from the time the Native Agent came to the office, had been carefully tied up in his own bundle. This is, I repeat, so highly improbable, that surely the least uncharitable construction that could be arrived at, is what I had placed upon it.

3. In so charitably admitting the possibility of the Native Agent having mislaid the documents through carelessness, I at the same time showed that I myself considered that it was most improbable such could have been the case. Had I been then questioned on the subject, or had I had any conception that Government could regard this circumstance as otherwise than affording the strongest ground for suspicion of the Native Agent's collusion with

Baba Nafra in this matter, I could have shown that the excuses advanced by Nursoo Punt on his examination were totally unworthy of consideration. The native records of the Residency have been kept in perfect order since Nursoo Punt received charge of them in 1844; the difficulty which has been experienced in this office is in the arrangement of the old records of former years, not in keeping regularly the current records; but had any paper received in this office during Nursoo Punt's incumbency been overlooked or mislaid, certainly the document G. is the very last that was likely to be so carelessly disposed of, or that could have been forgotten.

(D.) 4. Neither did Nursoo Punt's replies, in his examination on the 31st August, regarding the pretended search for the missing documents, relieve him in the slightest degree from the suspicion that they had been purposely kept back. On the contrary, they so fully confirmed my previous convictions, that I considered any further steps to ascertain the fact quite unnecessary. I have now, however, examined the karkoons on the subject, since it appears from your 33d paragraph that I ought to have done so. Their depositions are attached to an extract from the Native Agent's examination, forming Appendix (D.), which fully prove that the search was a mere pretence, and that the papers were ultimately produced by Nursoo Punt himself, not found by Beijaba, as he asserts. The evidence of Hurry Punt and Beijaba, two of the three karkoons employed in the search, goes directly to prove this, and the contradictory testimony of Narrain Row, the third karkoon, (whose evident efforts to screen Nursoo Punt, and other circumstances hereafter to be noticed, now attach the strongest suspicions of that individual's complicity with the Native Agent on the occasion,) by no means bears out the representations of the latter.

(E.) 5. The circumstances I allude to as casting strong suspicion on Narrain Row's honesty, irrespective of his evasive evidence recorded in Appendix (D.), is the fact, that several copies of Guzerattee and Mahratta documents, together with the translation of a Government letter, which ought never to have transpired from this office, and could not have done so without the connivance of Narrain Row, who, as second to Nursoo Punt in the office, had greater control of the dufter than any other of the karkoons, have lately been found among Baba Nafra's private papers, a list of which is annexed (E). Of course, Narrain Row and all the karkoons deny all knowledge as to how these copies were obtained, and would leave it to be supposed that Nursoo Punt alone could have given them; but though they could not have been copied in the office and taken therefrom without the knowledge and sanction of the Native Agent, neither could they have been abstracted without the knowledge and connivance of the next in trust, Narrain Row; nor is it likely, indeed, without the knowledge of others in the office besides.

Extract Paras. 35 and 36.

35. "Under these circumstances, and considering the high and honourable character which Nursoo Punt has ever borne, his Lordship in Council has no hesitation in expressing his belief of his statement, and cannot think that such a want of memory as he has unfortunately displayed should of itself suffice to brand him with ignominy, and to neutralize the merits of a long and unblemished service."

36. "There can be no doubt that Colonel Outram himself overlooked Mr. Remington's report on the causes of Venaik Moreshwer Furkey's disqualifications for political office, and the decision of Government founded thereon. They are, nevertheless, on the Residency records; and this fact proves that documents may be lost sight of without attaching culpability to the party by whom they are overlooked, of so serious a nature as has been imputed to Nursoo Punt by Colonel Outram."

REMARKS.—I have shown why I could not believe that a person of Nursoo Punt's careful ways, and whose character stood as high for sagacity and a retentive memory as for any other qualification, could have forgotten a document of such importance to a case which had so long been familiar to him, which had continued undecided from the time he received the said document into his keeping, and in which the interests of a near relative of his own were involved to the amount of three lakhs of rupees.

My first report on the case of Venaik Moreshwer Furkey, dated 22d June last, shows that I had not overlooked Mr. Remington's report on the causes of that person's disqualification for political office. On the contrary, that I had good reason for supposing that the subsequent official intimation by Government to that individual, that he might apply for employment, was intended as the revocation of a decision which I have proved to have been formed on erroneous grounds. But had I overlooked a correspondence which took place upwards of three years before I assumed office, and upwards of five years before my report was penned, regarding a matter, moreover, in which I had no personal concern, it does not appear to me that such a circumstance could afford any excuse for the Native Agent losing sight of a document of great importance, received since he came into the office, entrusted to his charge, relating to a pending dispute in which he was officially engaged, and which is so little likely to have escaped his memory, from the fact of his own near relative having so large a stake depending on it.

EXTRACT Paras. 38 and 39.

38. "His Lordship in Council feels himself compelled to enter at some length into the charges alleged against Nursoo Punt, because while it is an easy matter, and requires but few words, to cast imputations on a native servant, and on general considerations to declare him fraudulent and untrustworthy, his relief from such imputations cannot be so summarily effected. The characters of native servants of high rank and standing ought to be objects of the peculiar care of Government, which should not admit of their being assailed lightly on grounds not shown, after severe scrutiny, to be sufficient."

39. "In conclusion, I am desired to inform you, that so far from concurring in Colonel Outram's opinion, his Lordship in Council is persuaded that the examination into the cases before Government has removed from Nursoo Luxamon all suspicion of misconduct in respect to them. Under these circumstances, it is unnecessary even to inform him of the nature of the imputations cast on him (which seems not yet to have been intimated to him), or to require explanation on any single point in these translations."

S. O.

REMARKS.--In the letter which transmits this document I have expressed my opinions in a general manner, as to the censures which have, I conceive undeservedly, been directed against me. But I deem it due to Government itself, to the distinguished army of which I am a member, to the moral dignity of the high office which I have the honour to fill, and to my own personal character, not to conclude these explanations without appealing respectfully, but most emphatically, against the slur cast on me by implication in paras. 38 and 39 of the letter now under reply.

2. In these paragraphs it is explicitly implied that I am capable of preferring against my subordinates complaints which, if credited by Government, must lead to their dismissal, without apprising the accused parties of the charges I had brought against them. Such conduct, if practised against myself, I should regard and denounce as moral assassination of the vilest, most cowardly, and most treacherous kind, and such conduct I have ever eschewed, and with God's assistance shall continue to eschew, as I would all that is vile, cowardly and treacherous. The implied slur, for such it undoubtedly is, I believe to have arisen from mere mistake, or infelicity of expression. Lest, however, it should be otherwise; lest Government, forgetting the unswerving tenor of my thirty-one years' service, for which I can at all events claim the merits of candour and straightforwardness, should really think me capable of the conduct imputed to me, I beg to tender the most unqualified denial to their surmise, that I did not communicate to Nursoo Luxmon the "imputations cast on him." I did so in a most explicit and unmistakable manner.

(signed) J. Outram, Resident.

Baroda Residency, 26 August 1850.

Appendix (B.)

Persian Department.

SUBSTANCE of a Petition from Sha Munguldass Ramdass, Inhabitant of Baroda, to the Honourable the Governor in Council, dated 15, and received 21, March 1844.

HAVING learned that Nursooba, the dufterdar of the Revenue Commissioner, is to be appointed Native Agent at Baroda, I beg to state that it is not proper to confer the situation on him. When Lord Clare visited Baroda, Nursooba accompanied his Lordship, and when a settlement was concluded between the British and Guicowar Governments, he, Nursooba, misrepresented matters to the Sahib, and ruined the persons connected with the British Government. Your Excellency in Council is well aware that no benefit has been derived by Government from the settlement in question. I further beg to state, that Baba Nafra, agent of Hurree Bugtee and Gunnessh Punt, furnavees of the Guicowar, who have incurred the displeasure of Government by their misconduct, as also Dado Punt, who has been deprived of his office of Native Agent on account of misconduct, and who has been, through the instrumentality of Bappoojee Annut Hurgurria, employed to manage Gopalrow Myral's firm at Baroda, and several others, are relations and caste fellows of Nursooba. Bappoojee Hurguria and Asharam Karbarees of the Guikwar, are also friends of Nursooba. Nursooba induced Asharam to give up his wish to serve the British Government, and has got him employed under the Guicowar Government. Owing to this friendship, Nursooba has been for a long time trying to get the appointment of Native Agent. The persons who are connected with the British Government, and whose duty it is to give proper advice to the Guicowar, are very bad men. As the Guicowar is timid and avaricious, and as these people mislead his Highness by creating vain hopes in his mind, the British Government is put to trouble. When Nursooba is appointed Native Agent the trouble will be increased. This has been written for the information of your Excellency in Council.

(signed) W. Escombe, Secretary to Government.

No. 1,338 of 1844.—Political Department.

THIS petition is referred for the report of the first assistant in charge of the office of the Political Commissioner for Guzerat, and Resident, Baroda.

By order of the Honourable the Governor in Council,

Bombay Castle, 26 April 1844.

(signed) *J. P. Willoughby,*
Chief Secretary.

THE following report is respectfully submitted for the information of Government:—

Nursoo Punt, late dufterdar on the establishment of the Revenue Commissioner, has been appointed to the office of Native Agent at the Baroda Residency, and the object of petitioner is to show cause why he should not be allowed to succeed to that situation.

It is true, as stated by the petitioner, that Nursoo Punt accompanied the suite of Lord Clare, during his visit to Baroda in 1831 and 1832, being attached to the office of Mr. Williamson, the secretary in attendance on the Right Honourable the Governor. As far as I can learn, no petitions were presented to (*illegible*) in respect to decision passed on the claim of individuals, in which complaint was made of the conduct of Nursoo Punt.

With regard to Nursoo's relationship with persons about the Durbar, my information is as follows:—

One of Nursoo's daughters married to the son of Venaik Punt, a man who was one time head karkoon of the Phurnavessee, but subsequently dismissed for alleged or proved misconduct. It is said that on Nursoo's visit to Baroda in the year 1838, he promised his release from confinement, in which he had been placed by order of his Highness. He (Venaik Punt) has lately been appointed kamdar at Ookamundel, in the room of Wamun Row Withul, respecting whose conduct I had the honour to receive the instructions of Government, conveyed in your letter of the 6th February last, No. 415. A second daughter of Nursoo is said to have married a nephew of Venaik Punt. His sister is now married into the family of Baba Nafra, and his own sister has contracted an alliance with Dadoo Punt, in the service of Gopal Row Myral.

Asharam and the others mentioned in the petition are said to be mere acquaintance of Nursoo.

I should observe that Shet Munguldass is a fictitious person, and that under this name other petitions have been forwarded to Government.

(signed) *A. Remington,*
First Assistant Political Commissioner in Charge.

Baroda Residency, 1 May 1844.

No. 1,746 of 1844.

From *E. H. Townsend, Esq.,* Secretary to the Government of Bombay, to *A. Remington, Esq.,* First Assistant to the Political Commissioner for Guzerat, and Resident at Baroda in Charge.

Sir,

Political Department.

I AM directed to acknowledge the receipt of your report, dated 1st instant, on the representation from "Sha Munguldass Ramdass," dated the 15th of March last, connected with the appointment of "Nursoo Punt" to the office of Native Agent to the Baroda Residency.

2. From your report it appears that Nursoo Punt is connected by family ties with persons who were implicated in the frauds recently practised by "Dhackjee Dadajee," and others, on his Highness the Guicowar; and the Honourable the Governor in Council regrets that Mr. Boyd did not ascertain this fact before he recommended the appointment of Nursoo Punt to the above situation, and have especially brought the circumstance to the notice of Government.

3. Taking into consideration, however, the high character and respectability of Nursoo Punt, the Governor in Council is not disposed to cancel that person's appointment as Native Agent to the Baroda Residency; but I am instructed to request that care be taken that the orders of Government, dated the 13th July 1843, and the 10th January last, directing the exclusion from the residency of the persons therein mentioned, be strictly attended to.

I have, &c.

Bombay Castle, 30 May 1844. (signed) *E. H. Townsend,*
Secretary to Government.

(True copies.)

(signed) *M. Battye,* Assistant Resident.

Appendix (D.)

EXTRACT from Examination of Nursoo Luxumon, taken on the 31st August 1848.

Question. HURREE BHUGTEE's accounts up to October 1841, which were received in the duftur in July 1845, have now been produced, which, if assumed to be correct, would, with the interest up to July 1848, amount to 2,21,619 rupees; but the accounts which the Sowcars have now produced show a balance of Rs. 3,03,130. 9. 9., thereby causing a difference of 81,511. 9. 9.; how is it that this escaped your notice, and that you did not report it to me?

—*Answer.* The papers connected with Govind Row's case were in my bundle, but the accounts which were formerly received were not amongst them, and I have not the least recollection of any accounts having been previously received from the bank. When the goomasta's deposition was taken, the Saheb desired me to find out if any accounts had been formerly received, for which reason I set a carkoon to examine the dufturs, and Buzaba found * it in a bundle, dated May 1842; the account alluded to was shown to the Saheb, and yesterday the duftur, since 1838, were examined, when the yad, dated July 1845, came to hand, but I had not the slightest recollection of this document, and certainly did not willingly conceal it. In the yad of 1842 above referred to, interest at 9 per cent. is specified, but it is not in the yad of 1845, though it appears clear that 9 per cent. is calculated on the whole amount of 32,002 rupees, and that the same amount of interest was charged on the 9,000 rupees from 1816, A.D. 1819–20; the present difference is accounted for from the Sowcar being charged 12 per cent. interest on the item of 9,000 rupees.

* Buzaba denies that he found it.

About five or six days after I gave you the order to produce the correspondence with Mr. Williams, and subsequent document relating to this claim (on the 28th instant), you came and told me that the duftur had been carefully examined, but that the papers were not to be found. When I told you, however, that you would be held responsible for the abstraction of these documents, on the 29th August, you, without delay, produced an account, which had been received in 1842; and on my again desiring you to search, another document of 1845 was produced on the 30th instant. How do you account for this? and how is it that in the space of three years you forgot the receipt of a document which had been received since you came to the office? and why should you keep the duftur in such confusion as to take so much time in finding a document placed there by yourself?—On the 26th August you desired me to look for the accounts which Mr. Williams referred to in his letter to Govind Row Guicowar in 1833; consequently I set Narrayen Row and others to search the dufturs of that year the following day, Sunday, the 29th; they examined other old dufturs, but without success. On the 28th you asked me if I had found the accounts. I replied in the negative, but that other dufturs were being searched by Buzaba, &c.; on that date no papers were found. On my coming to office on the 29th instant, it struck me that some accounts might have been received at the time of Mr. Boyd's report, in the year 1842; so I desired Buzaba carkoon to look for them, and on examining the diary-book he found the required account, which I immediately brought to you. The next day Narrayen Row and Buzaba were again set to search the dufturs, and after looking over them from the year 1843, another account was found in the duftur of 1845, which Narrayen Row brought to me, and I took it to you at once. You ask how I happened, in the space of three years, to forget the yads which were received, but I beg to state that it is impossible to recollect the numerous yads which are received, on so many different subjects, in a period of three years; and from the time I came to the office I have always brought the confused state of the records to the notice of the different Residents; and the Government have so frequently reduced the establishment, that, notwithstanding the carkoons are always at work, it is quite impossible for them to carry on the current business, and keep the dufturs in the proper order. Some of the papers are sorted, and others, again, are merely tied up in bundles for the month, because the carkoons really have not time to sort them; if they were properly filed, according to the proper subjects, there would be no difficulty in finding papers.

When the yad was received from the Sowcar on the 6th July 1848, regarding the payment of his dues, I desired you to produce the papers on the subject, and on the 21st August you furnished me with your report on the case; how is it that in so long a time you did not procure and examine all the papers referring to it? Without examining these documents, why did you report on the subject, and in the space of three years how came you to forget that such an account had been received?—On the receipt of the Sowcar's first yad a correspondence ensued, and the last yad was received on the 5th August 1848, which was given to Shroff "Shewuk" to examine; and when I had time I perused the papers connected with this case, which were tied up in a separate bundle, and wrote my report. I quite forgot that there were any other documents on the subject.

(True extract.)

(D. No. 2.)

TRANSLATED Statement of Hurree Punt, Appajee Carkoon, before the Resident, on 16th July 1850.

Question. IN the case of Hurree Bhugtee's claim against Govind Row Guicowar, in which the accounts received from the firm in the years 1842 and 1845 were reported by Nursoo Punt as not to be found in the office; state how these papers came to hand, and all that you know

know regarding them?—*Answer.* When this case was being inquired into, Nursoo Punt told us carkoons to take out from the duftur all the papers connected therewith; we accordingly set to work, and were engaged about five or six days, but not one paper on the subject came to my hands. Presently Nursoo Punt and Narrain both said that the papers we were in search of were found, and told us to close the duftur. I don't know whether they were found in the old duftur or not.

Where were the papers found?—Govind Row Guicowar's, and other cases of importance which are pending, are kept in a separate bundle by Nursoo Punt; in this bundle, I think, the missing papers were found.

Where used Nursoo Punt to keep his bundle of papers?—His own bundle he used to lock up in a separate box, and take the key of it, as also that of the duftur room, to his own house.

STATEMENT of Buzaba Carkoon, before the Resident, on the 16th July 1850.

Question. The same as to Hurree Punt?—*Answer.* Nursoo Punt told me to look for the paper, and all the carkoons commenced to search, which lasted about four or five days. On the fifth day, about two o'clock, we closed the duftur; I then asked Nursoo Punt if the papers had been found; he replied in the affirmative, and said there was no occasion to search the duftur again.

Did any of the carkoons find the paper, or how was it?—I don't remember that it was found by a carkoon; but from Nursoo Punt's saying that it was found, I think he must have found it; I did not.

Give the names of the carkoons who were examining the duftur?—Narrain Row, Hurree Punt, Nursoo Punt, and myself.

Do you know which of the four persons above mentioned found the paper?—I don't know that; it was found by a carkoon, but on Nursoo Punt saying it had been found, we shut up the duftur.

In whose possession was the dufter of pending cases kept?—The papers connected with cases under investigation were kept in Nursoo Punt's bundle, and if any old papers connected therewith were required, either Narrain Row or myself used to get them.

Who used to keep the papers regarding Govind Row's case?—I don't exactly know.

This case was going on some two or three months before the search was made for the paper; at that time who had the papers connected with the case?—From the time the investigations commenced, Nursoo Punt used to keep the papers in his own bundle.

When Nursoo Punt told you that the paper had been found, did you not ask him where he got it from?—The dufterdar was a man of importance, so how could I ask him such a question?

As you three carkoons and the dufterdar were all looking for the paper, how was it that the person who found it did not at once say so?—Neither of us carkoons found it, but I heard Nursoo Punt say it had come to hand.

You say that Nursoo Punt said the paper was found; did he find it himself, or how was it?—Neither of us carkoons found it, so Nursoo Punt must have found it in his bundle.

Were you and Narrain Row sitting together while looking for the paper?—We were sitting about three yards apart.

How many of the papers in this case did you find?—I did not find any.

How many did Narrain Row find?—He did not tell me, and I did not ask.

Narrain says you were both sitting together, and that the papers found were given to Nursoo Punt, whereas you say you did not find any; which is the truth?—We were not sitting together, but as above stated, about three yards apart, and I did not find any papers connected with this case; it is as I have said above, Narrain is responsible for what he writes.

How many days was Narrain Row employed in searching for this paper?—He was there from the time we commenced the search until the paper was found.

STATEMENT of Narrain Row, Carkoon; dated 16 July 1850.

As above?—Nursoo Punt told me and the other carkoons to look for the papers regarding Govind Row's case; all we found were given to Nursoo Punt; don't recollect how many we found; Govind Row's papers were tied in a bundle by themselves, and made over to Nursoo Punt, and whenever he required them.

You must have read the papers you found; so how is it you don't recollect how many were found by Bajabo and yourself?—I was often told by the dufterdar to take out all papers in all sorts of cases, and cannot now remember how many were found in this case.

Where was Nursoo Punt when you were looking for the papers?—We were about 10 paces apart.

When you took out the papers connected with the case, where was Nursoo Punt sitting?—As I said before, about 10 paces off; and as I found papers, I used to take them to him, and at times he came to where I was sitting.

How many days were you looking for the papers?—About one day.

When I first asked you, you said plainly one day; why do you now say "about one day"?—The search lasted some eight days, and I used occasionally to go and assist, but I only sat with Bujabah one whole day.

Did you look for the paper before Baba Nafra's deposition was taken, or after?—His deposition was taken first. I looked for the paper about the time I was engaged with Mr. Battye in translating Baba Nafra's deposition and other papers.

You say you found many papers, but when was it you found the accounts of Hurree Buggtee's of 1842 and 1845, which were of importance?—The yad, dated 23d July 1845, and account now shown me, I found in dufter, and gave to Nursoo Punt, but whether it occurred at the commencement of the search or at the end, I don't remember.

How many papers did Bujaba find?—We gave all to Nursoo Punt; but as I before said, I don't recollect how many there were; they were of the year 1840 to 1848 inclusive.

Bujaba states that he did not find any papers, and that when Nursoo Punt said the paper was found, the dufter was closed; how is this?—I said before that I did not remember how many papers were found, but all we found I gave with my own hand to Nursoo Punt.

If you gave all to Nursoo Punt, how is it that you don't remember how many there were?—I can't recollect, at this length of time, how many we each of us found.

Nursoo Punt had been for two or three months preparing his report on this case, and it appears that only two accounts of much importance were not forthcoming in his own dufter; what necessity was there, therefore, for you to take out so many papers from the old records?—The papers in his bundle were not complete, and he told me to open the dufters from 1840, so all that I found relating to the subject I gave him.

These 92 papers are all that were in Nursoo Punt's bundle, and you say in one day you found many; whereas the other carkoons say they were employed six days at this work; how is this?—I did not give Nursoo Punt many papers in one day; about three or four papers, which Bujaba and self found in one or two years' dufters, we gave.

After that did you get any more papers?—We did not open the dufter after that.

Hurree Punt and Bujaba say that Nursoo Punt found the paper and called out, and you first say you found many papers, and afterwards only confess to three or four; how is this?—Nursoo Punt did not search the dufters; he set the carkoons to work, and the papers from one or two years' dufter, which we found, I gave to Nursoo Punt; I found more than one paper, but did not mean to say that I found many; I think there were about three or four; if Hurree Punt and Bujaba only recollect finding one paper, it's their look-out.

What reply did you give Mr. Hykoop the other day when he asked you how it was that the letter which Mr. Williams wrote to Govind Rao Guicowar, then at Surat, in 1833, was not forthcoming in the year 1848, as reported by Nursoo Punt?—I told Mr. Hykoop that a copy of the letter had been in the dufter since 1841, and it was kept in Nursoo Punt's bundle; but how was I to know whether he showed it to the Saheb or not?

From what date was this letter in Nursoo Punt's possession?—Nursoo Punt came here in 1844, and I pointed out to him the dufters of the different cases; one of which was Govind Row's, but at that time all the papers connected with the case were not so well arranged as they are now; there were about 100 cases of sorts.

From what year were the cases kept separate?—About 1838, at the time of Mr. Sutherland.

Of the 100 different cases which you allude to, since Nursoo Punt came to the office, have the papers connected therewith, since received, been kept separate, or mixed up with the old dufter?—Nursoo Punt always desired that all papers of cases of importance should be kept with their respective dufters, and such has always been done.

Was Hurree Bhugtee's claim of about three lacs against Govind Row Guicowar considered a case of importance or not?—It is an important case.

On the 17th July 1850.

Is what you wrote yesterday (now read to you) all correct?—It is in accordance with what I said, but I wish to state as follows:—First, In my reply to the first question I said that Nursoo Punt told us to look for a paper which was missing, but this is not correct; he only told us to look for papers in Govind Row's dufter, not specifying any one in particular. Secondly, I said above, that Nursoo Punt was sitting 10 paces from where I was; but he was, I recollect, sitting in his usual raised seat in the cutchery.

Did you ever receive anything from either Baba Nafra or from the firm Hurree Bhugtee?—No; I never received anything from either party.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

Appendix (E.)

TRANSLATION of a Memorandum of Copies of certain Government Documents in a Case which was going on in the Residency, and which were found in the Dufters of Baba Nafra, 58 in number; these Dufters were brought to the Residency in the Case of Joiteebae's Son.

1. Translation in Mahratta of the decision of the Honourable Court of Directors in the case of Joiteebae's son.

2. Copy of the Guzerattee Deposition of Echaram Vunarsee, made at the Residency on 26 August 1848, in the case of Govind Row Guicowar.

3. Translation in Mahratta of the deposition of the above-named persons.

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4. Muratta copy of Baba Nafra's deposition, in the case of Govind Row Guicowar.
5. Ditto - - ditto - - - ditto - - - ditto.
6. Ditto Letter to Baba Nafra, requiring information regarding the health of his friend, and informing him of the business done in the cutchery.
7. Translation in Maratta of a report made to Government by the Resident regarding the guarantee to the firm of Samul Bhugtee.
8. Maratta yad of 10 paragraphs, showing what cases from the Guicowar government are to be done by the karbary of the Resident.

(True translation.)

(signed)

M. Battye, Assistant Resident.

— No. 26. —

(No. 4.)

MINUTE by the Right Honourable the Governor, concurred in by His Excellency the Commander-in-Chief.

COLONEL OUTRAM, in the sixth paragraph of his letter, No. 209, dated the 31st August 1848, reporting on Hurree Bhucktee's claim against Govind Row Gaekwar, stated that the replies of his Native Agent Nursoo Luximon "are not such as to clear him from suspicion of at least conniving at the fraud which has been attempted, in so far that, in his report, he neglected to point out to me causes of suspicion which he now acknowledges exist, and others I have indicated, which, although he does not admit, could scarcely otherwise than have occurred to so shrewd a native as he is. It will be observed, moreover, that a copy of the Memorandum E., with some remarks by the firm added, was presented at the Residency on the 11th July 1845 (*vide* G.), only three years ago, when the present Native Agent was at the head of the office, and that it has remained on his records ever since. It is not likely, therefore, that he could have forgotten it; yet no reference is made to that document, or to the original Memorandum E., which was also on his records, in his report, which occupied him from the 6th to the 21st August to prepare; neither were these documents produced, although I have repeatedly called for all papers relating to any previous claim that might have been advanced by the Sowkar against Govind Row, until the 29th (when E. was produced), and 30th instant (when G. was produced), after my examination of the goomashta on the 28th (which showed that I had detected the fraud), when I emphatically assured him that he would be held a party to the transaction if no document throwing any light on this claim, which I assume must be on the records, were forthcoming. As these papers prove that the original fraudulent claim on the bond for 9,001 rupees was made in 1842, I exonerate the Native Agent from any concern in the abstraction of the correspondence above alluded to; but I cannot acquit him of the suspicion of having purposely withheld the papers E. and G., as well as concealed the information they contain, which, of course, ought to have been given in his report, and would have disclosed the dishonesty of the Sowcar's present accounts; for, although possibly he might not detect the fraud perpetrated in E., from its having passed unquestioned before he took office, it appears most strange that he should have overlooked the discrepancy between the claim advanced on the 5th ultimo, and the account which he had in his possession, being a difference of upwards of 81,000 rupees; or, if he really had mislaid or forgotten that document, with which he had been entrusted only three years back (a carelessness of itself inexcusable), that the discrepancy between the accounts now rendered, and the tenor of the bonds which are quoted in the Sowcar's yad presenting the same, should have escaped his observation; 12 per cent. being charged in the former for a portion of the debt, whereas nine per cent. only is specified in both bonds. Still it is possible that the Native Agent may have overlooked these facts through inattention, and mislaid the document through carelessness; and I hope, therefore, that he may be allowed the benefit of the doubt in consideration of his long service of 30 years.

2. Again, Colonel Outram, in his letter, No. 215, dated 7th September, para. 2, states, "I regret to add, that my Native Agent, instead of exerting himself to arrest

arrest the evil which he must have known was going on, has not aided me to the extent that he ought to have done in bringing the real state of Gorajee Pole's affairs to light; whether caused by apathy and most blameable carelessness or culpable collusion with the Paruck in the frauds the latter has been carrying on, I am unable to say, and must leave Government to form its own opinion on the evidence herewith submitted; but in this case, as in that which I reported on the 31st ultimo, I venture to express my hope, that in consideration of his long services, the most lenient view the circumstances will admit of will be taken of the native agent's conduct."

3. In my minute of the 28th December, paragraph 6 to 43, I have entered at length into my views of the conduct of Nursoo Punt as shown in Colonel Outram's report; these were concurred in by my colleagues his Excellency Sir Willoughby Cotton, and the Honourable Mr. Reid, and by the Honourable Mr. Willoughby in his minute of the 30th idem, to the Government letter, No. 204, dated 12th January 1849, drafted on those minutes. Colonel Outram now in his letter, No. 207 A., without date, but received on the 24th September, replies.

4. I may state that Colonel Outram's letter being in circulation at the time he was in Bombay, no advantage could be taken of the offer made by him to the chief secretary, as noticed in his letter, as the decision of Government as to the guilt or innocence of Nursoo Punt could not be anticipated; indeed I have in my minute of the 28th December stated in paragraph 12, that my opinion was at first unfavourable to the native functionary, so that at the period to which Colonel Outram alludes I could not have supposed any further communication from him on the subject necessary.

5. I will now consider *seriatim* Colonel Outram's explanatory observations, which I have marked Roman numerals for more ready reference.

6. I. Colonel Outram in this explanation justifies his employment of Venaik Moreshwur Furké, and for the reasons he adduces I am of opinion that so much of his explanation may be admitted as satisfactory. In this portion of his letter, also, he remarks on para. 27 of the Government letter, upholding his own views of Nursoo Punt's report formerly submitted to Government, but bringing forward no facts which were not before us at the time, nor placing any which were then urged on our consideration in a stronger light, my opinion therefore remains as communicated in para. 27 of the Government letter of the 12th January 1849.

7. II. Paras. 7 and 8 of the Government letter would appear to have been misunderstood by the Resident; paragraph 8 of the letter shows cause not why Colonel Outram should not lightly entertain accusations against Nursoo Luximun, but why Government should not do so; the subsequent paragraphs clearly show such to have been the meaning. Government never doubted that Colonel Outram considered that he had good grounds for his suspicions, it proceeded to deliberate on the evidence by which, as stated by Colonel Outram, those suspicions were supported, and differing from the conclusion arrived at by Colonel Outram throughout the charges.

8. If Colonel Outram deem that the case was not sufficiently investigated, and that if it had been more thoroughly examined the result would have been different, he only is to blame for not having, in the first instance, placed before Government the evidence which he regards as conclusive if he had such in his possession. I can scarcely, however, conceive that he would in so important a matter neglect to bring forward anything of material consequence, as such a course would plainly be unjustifiable.

9. III. Contains Colonel Outram's remarks on paragraphs 9 and 10, in which Government acquits Nursoo Punt of "apathy and most blameable carelessness or culpable collusion," and informs the Resident that he viewed the duties of native agent in an erroneous light, rendering that officer answerable, in fact, for the acts of the Resident. Colonel Outram now states the mode in which he avails himself of the services of the native agent, in which, if due caution is used in testing the information obtained from him, I see nothing objectionable. My opinion, as stated in the paragraphs of the former letter now alluded to, was formed on the information then before Government, and parti-

cularly on the tone of Enclosure (D.) to Colonel Outram's report, dated 31st August 1848; on reconsidering these papers I see nothing to alter in the expression of our sentiments upon them.

10. IV. Colonel Outram remarks on paras. 11 and 12 of the Government letter, as I do not apprehend that it can be expected that the native agent's reports or opinions, however good they may be, are to relieve the Resident and his establishment from laborious inquiries into cases of doubt or difficulty, I adhere to the judgment I formerly expressed. The reports and opinions of the native agent can at best but assist the Resident's investigations, and cannot supersede their necessity, as these very reports ought to be subjected to a searching scrutiny.

11. V. I cannot avoid inferring from certain remarks on the 13th and 14th paras. of the Government letter, that (however unconsciously on Colonel Outram's part) the duty assigned by him to Nursoo Luximun was more suited to his own position as Resident or that of his assistant, than to that of Nursoo Luximun, Colonel Outram's suspicions of the honesty of Nursoo Luximun might have been well founded, but these suspicions should have led the Resident to inquire into such matters himself rather than to call on Nursoo Luximun for a report on them.

12. VI. to IX. Contain remarks on paragraphs 15 to 18 of the Government letter. I see nothing in them to lead me to consider that we in any way erred in our judgment in regard to the matters formerly submitted by Colonel Outram which formed the subject of these paragraphs.

13. X. XI. XII. Colonel Outram's remarks on paragraphs 19, 20, 21 to 25, inclusive of the Government letter, do not appear to call for notice.

14. XIII. The tenor of Colonel Outram's remarks on paragraph 26 of the Government letter tends to the same conclusions as that I have drawn from his observations, numbered IV.

15. XIV. I have already stated that I have no doubt that Colonel Outram considered that he had full and sufficient grounds for his suspicions against Nursoo Punt, but I do not conceive that the facts adduced in his former report were of such a nature, or the manner in which they were set forth by him so forcible, as to warrant our coming to a conclusion different from that intimated to him in paragraph 23 of the Government letter, to his address of the 12th January 1849.

16. XV. and XVI. Colonel Outram in these numbers comments on the decision of Government in the case of Govind Row and Hurree Bhugtee; his remarks show the vice of the system pursued (when carried to excess) of requiring the native agent to report on matters which are of such importance as to require the most minute investigation by the Resident himself. Should the agent give an erroneous opinion, he is held responsible for it; should he give none, still it may be inferred from his silence; and, to crown all, Colonel Outram objects to the orders of Government, because it has not concurred in such inference. Paragraphs 29 to 36 contain the sentiments of Government on the matters therein treated, and if those opinions are not in accordance with Colonel Outram's, it must be attributed to his own report failing to carry with it conviction of the correctness of his reasoning; neither can it be matter of surprise that Government, to whom Nursoo Luximon's former character for honesty was well known, should have been induced to regard his conduct in a more favourable light than Colonel Outram, who, having suspicions such as those he avows he entertains, and the means at hand of converting them, if correct, into certainty, should have endeavoured to leave no doubt on the subject.

17. XVII. The explanation on Colonel Outram's remarks, under No. II., relative to Venaik Moreshwur Furkey, and my notice of this, renders remark here unnecessary.

18. XVIII. Had Colonel Outram, in his former report, intimated to Government that he had informed Nursoo Punt of his having preferred accusations against him, the passing observation to which the Resident has attributed meanings it was never intended to convey, would not have been made. It is to be lamented

lamented that Colonel Outram imagined that observation could bear the interpretation he has given to it.

19. I have now briefly gone through Colonel Outram's remarks; but I consider the mode in which he has brought the matter under our notice to be very objectionable; he should have reported the case *de novo*, clearly stating the causes of his suspicions against Nursoo Luximon, and any additional grounds for them that may have been established since his original communication on this subject. As he has not done this, I am compelled to assume that he is unable to urge such as would satisfy Government of the native agent's delinquency.

20. The general tone of Colonel Outram's letter, No. 207, is so highly reprehensible that I am influenced solely by a sense of his public services and deservedly high reputation in making no further observation upon it than that it will, as a matter of course, be transmitted, according to his express wish, to the Honourable Court, with the rest of our proceedings in this matter, and that I leave it for the consideration of that authority.

(signed) *Falkland.*
W. Cotton.

15 November 1850.

— No. 27. —

MINUTE by the Honourable Mr. *Willoughby*.

No. 5.

I REGRET that Lieutenant-colonel Outram has re-opened this case. I would at present, however, merely inform him that his letter will be considered and replied to, when his further promised report on fresh charges against his native agent is received. I suggest this course, for, if censure is due to that officer, I would not communicate it at a moment when such inquiries are in progress, and thereby erroneously lead him to suppose that we view such inquiries with disapprobation, and check his laudable zeal in exposing the corruption which, in good faith, he believes to have, for many years past, existed at Baroda. Such a duty is always irksome and painful; but the man who undertakes it is always deserving of all the countenance and support Government can, with propriety and perfect justice, to the accused bestow.

21 November 1850.

(signed) *J. P. Willoughby.*

— No. 28. —

MINUTE by the Honourable Mr. *Blane*.

No. 6.

COLONEL OUTRAM'S attempted justification of the employment of Venaik Moreshwur Furkey would seem mainly to rest on the assertion (remark 1 of the summary) that he was "the only native who could be found sufficiently independent of the Gaekwar Court and the Residency Establishment to be likely to be uninfluenced thereby in prosecuting the inquiry." The circumstance of this individual having been employed by Mr. Malet on a similar inquiry is dwelt upon; but this would appear to have occurred in 1837, whereas the expression of the unfavourable opinion of Government regarding him was not (*vide* para. 6 of the Honourable Mr. Willoughby's minute of 30 December 1848) until long subsequent in 1844.

2. In respect to the case of "Gorajee Pol," the imputations against the native agent are based upon inferences from very intricate data; and I see no reason to differ from the conclusions arrived at as intimated in Government letter to the address of the officiating Resident of 12 January 1849.

3. Regarding the case of Govind Rao Gaekwar, the view I take of it is stated at length in my separate minute of this date. The non-production of the documents E. and G., whether through negligence, or, as to be suspected from his connexion with Baba Nafra, with a corrupt intent, I cannot but regard as highly discreditable to the native agent.

4. On the character of Colonel Outram's remarks I have already offered my opinion in the minute above referred to. I would further only observe, with advertence to the wording of para. 20 of the Right Honourable Resident's

minute, that the "expressed wish" that his letter and accompaniments may be sent to the Honourable Court appears to me the portion the most markedly objectionable, perhaps, of his communication. The papers will be forwarded to the Honourable Court, but certainly not "according to his expressed wish," the irregularity of which ought, on the contrary, I conceive, to be specially noticed to him.

25 November 1850.

(signed) *D. A. Blane.*

— No. 29. —

No. 7.

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Board.

WHILE I adhere to the opinion expressed in my minute of the 15th November, regarding the tone of Lieutenant-colonel Outram's letter, and the intimation that ought to be made to him, I have no desire that the censure I wish to be conveyed should be sent at this moment, and I shall not object to its communication being deferred.

Adverting to para. 4 of the minute of my honourable colleague, Mr. Blane, I would explain, that when I said Colonel Outram's letter would be transmitted, as a matter of course, according to his expressed wish, I did not mean in consequence of a compliance with that wish, which, I agree with Mr. Blane, ought not to have been urged, especially in the manner in which Lieutenant-colonel Outram has brought it forward.

(signed) *Falkland.*
W. Cotton.
J. P. Willoughby.
D. A. Blane.

24 December 1850.

— No. 30. —

No. 1 of 1851.—Political Department.

No. 8.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *Outram*, c. B., Resident at Baroda.

Sir,

I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt, on the 24th September last, of your letter, with enclosures, No. 207 A., without date, containing explanatory remarks on the Government letter, to your address, No. 204, dated 12 January 1849, and to inform you that the sentiments of Government thereon will be communicated to you after the receipt of your further promised report on fresh charges against your native agent.

Bombay Castle,
2 January 1851.

I have, &c.
(signed) *A. Malet*, Chief Secretary.

— No. 31. —

LETTER from Lieutenant-colonel *Outram*, Resident at Baroda, dated 10 April 1851, submitting,

"A STATEMENT of facts relating to Nursoo Punt, late native agent of the Baroda Residency."

Memo.—The above letter is forwarded in Collection No. 3 accompanying these proceedings.

— No. 32. —

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane*.

LIEUTENANT-COLONEL OUTRAM should be informed of the non-receipt of the letter alluded to in para. 1. After this, this despatch should be sent to the Right Honourable the Governor.

18 April 1851.

(signed) *J. P. Willoughby.*
D. A. Blane.

— No. 33. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Messrs. *Blane* and *Bell*.

No. 504 A.

I BEG to propose that the Chief Secretary be instructed to address Lieutenant-colonel Outram to the following effect:—

The Governor in Council having had under consideration your letter of the 10th ultimo, and the documents that accompanied it (the various observations and arguments contained in which I am to inform you will be hereafter noticed), I am directed to request that you will furnish drafts of the several charges which you conceive could be substantiated against Nursoo Punt, should Government decide that it would be expedient to bring that individual to trial before a commission, under Act XXXVII. of 1850.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

10 May 1851.

— No. 34. —

From *A. Malet*, Esquire, Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c.B., Resident at Baroda.

No. 504 B.

Sir,

I AM directed by the Right Honourable the Governor in Council to inform you that his Lordship has under consideration your letter of the 10th ultimo, and the documents that accompanied it (the various observations and arguments contained in which will be hereafter noticed), and to request that you will furnish drafts of the several charges which you conceive could be substantiated against Nursoo Punt, should Government decide that it would be expedient to bring that individual to trial before a commission, under Act XXXVII. of 1850.

I have, &c.

(signed) *A. Malet*, Chief Secretary.

Bombay Castle, 12 May 1851.

— No. 35. —

From Lieutenant-colonel *J. Outram*, c.B., Resident at Baroda, to *Arthur Malet*, Esquire, Chief Secretary to Government, Bombay.

No. 504 C.

Sir,

IN reply to your communication of yesterday's date, calling upon me, with reference to my letter, No. 61, dated 10th ultimo, "to furnish drafts of the several charges which I conceive could be substantiated against Nursoo Punt, should Government decide that it would be expedient to bring that individual to trial before a commission under Act XXXVII. of 1850," I have the honour to state that the charges which I consider could at once be substantiated are those of bribery, referred to in the Appendix (A.), and in the postscript to the statement of facts, which accompanied the letter of the 10th ultimo.

2. I would not wish, however, in the absence of the exact proofs, to pledge myself to any particular form of charge, but I think that they might be drawn up to the following purport:

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First.

First. Of having, on or about the 12th May 1845, received from Baba Nafra, managing gomashta of the firm of Hurry Bhugtee, the sum of 20,000 rupees, as a bribe, given with the view, probably, to secure his (Nursoo Punt's) services in behalf of the firm in the case then pending before Government, of its dispute with the sons of the late Gungadhur Shastree.

Second. Of having, on or about the 19th or 20th October 1848, received from Baba Nafra, as a bribe, the sum of 28,070 rupees, in part payment of a sum of 78,070 rupees, "on account of the dispute about the boy (Joitabae's child)."

3. I believe I can produce sufficient evidence before any court to insure Nursoo Punt's judicial conviction on the above charges; but I beg respectfully to express my earnest hope that due notice will, in the meantime, and as soon as possible, be taken of that individual's dishonest conduct, in respect to the other cases which I have lately had occasion to place before Government, wherein, though no specific charges are made by me as to the particular nature of the inducements under which Nursoo Punt was led to prostitute his position and influence in behalf of Baba Nafra and others, it is fully established by the evidence submitted that he did so betray his trust while at the head of the native political establishment of the Baroda residency; thus, in the Gorajee Pole and Govind Row Guicowar's cases, he * withheld information from his superiors, and suppressed documents in his possession, which would at once have exposed certain fraudulent transactions which could not have been attempted but with his connivance; that in the Joitabae's case, he misled his superiors by false information and misrepresentation of facts; † that he instigated Baba Nafra to depute an agent to Bombay for bribery purposes; ‡ and that he made a shameful use of the name of a member of the Government, and promoted the belief at Baroda that he enjoyed the support of that gentleman through corrupt influences. §

4. These established facts will warrant, I presume, the immediate dismissal of Nursoo Punt from the service of Government, irrespective of the bribery charges above specified, for which, if substantiated, further punishment will be due, pending his trial on which, I beg leave most earnestly, but respectfully, to suggest that he be at once placed under arrest, or heavy security taken from him to attend to answer those charges when and where Government may hereafter direct. The Right Honourable the Governor in Council will be aware, from the tenor of my former reports, that I consider such measures absolutely necessary to aid me in neutralizing the corruption and intrigue which will be set on foot immediately the intention of Government to appoint a commission is known.

I have, &c.

(signed) *J. Outram*, Resident.

Bombay, 13 May 1851.

— No. 36. —

No. 504 D:

MINUTE by the Right Honourable the Governor.

I PROPOSE to suspend for the present the consideration of all the extraneous and collateral matters with which this subject has become entangled, and that we should confine ourselves to dealing with the two distinct charges which Colonel Outram has specified in his letter as being those regarding which the strongest proof exists against Nursoo Punt.

2. I presume that the evidence which Lieutenant-colonel Outram states he is prepared to produce will be in substance the same as that brought forward in the Appendix to the Paper termed a "Statement of Facts against Nursoo Punt." Lieutenant-colonel Outram should be asked if this be the case, and if he have any additional evidence to offer, be requested to inform us of its nature.

3. Having obtained from Colonel Outram the knowledge whether any, and what

* Report appended to letter No. 207 A, dated 7 September 1851.

† Report dated 31st March 1851.

‡ Appendix (H.) to letter No. 207 B, dated 7 September 1851.

§ Appendix (J.) to letter No. 207 B, dated 7 September 1851.

what kind of additional evidence can be furnished, I would request our honourable colleague, Mr. Bell, to be good enough to favour the Board with his opinion whether the evidence, taken as a whole, affords, *primâ facie*, sufficient grounds to justify our placing Nursoo Punt on his trial.

(signed) *Falkland.*

15 May 1851.

— No. 37. —

MINUTE by the Honourable Mr. *Blane*.

No. 504 E.

I AM not of opinion that any doubt can be entertained of the necessity of bringing Nursoo Punt to trial, and would cause the accusations in para. 3 of Colonel Outram's present letter to be framed into charges, and placed together with the two charges of bribery before the commission.

(signed) *D. A. Blane.*

15 May 1851.

— No. 38. —

MINUTE by the Honourable Mr. *Bell*.

No. 504 F.

I CONCUR most fully in the above Minute of the Honourable Mr. *Blane*.

(signed) *A. Bell.*

15 May 1851.

— No. 39. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

No. 504 G.

THE opinions expressed by my two civil colleagues supersede, I conceive, the necessity of the step I proposed to take, and we have therefore now only to proceed to the appointment of a commission, and specify the charges to be brought against Nursoo Punt.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

15 May 1851.

— No. 40. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

No. 504 H.

1. WITH reference to my Minute of yesterday's date, to propose that Mr. W. E. Frere be appointed, under Act XXXVII. of 1850, to inquire into the truth of certain charges brought against Nursoo Luximon, late Native Agent at Baroda, by Lieutenant-colonel Outram, Resident at that Court.

2. The investigation to be carried on at Baroda, unless the accused party object to the proceedings taking place there, in which case the objections will be considered.

3. The charges against Nursoo Luximon are,—

1st. That he, on or about the 12th May 1845, received from Baba Nafra, managing gomashtha of the firm of Hurry Bhugtee, the sum of 20,000 rupees, as a bribe, given apparently with a view to secure his (Nursoo Luximon's) services in behalf of the firm in the case then pending before Government, concerning the dispute between the above firm and the sons of the late Gunghadur Shastree.

2d. That he, on or about the 19th or 20th of October 1848, received from Baba Nafra, as a bribe, the sum of 28,070 rupees, being in part payment of a sum of 78,070 rupees, to be paid by Baba Nafra for the exercise of his influence in his (Nafra's) favour, in the inquiry respecting the alleged abduction of the child of Joitabaee Shetanee.

3d. That he betrayed his trust as head of the native establishment of the Baroda residency, by withholding from his superiors information of importance connected with the case of Gorajee Pol.

4th. That he was guilty of a like betrayal of trust in suppressing information in his possession bearing on the case of Govind Row Guicowar.

5th. That in the Joitabae's case, he furnished false information to his official superiors.

6th. That he instigated Baba Nafra to depute an agent to Bombay, for the purpose of bribing certain persons there.

7th. That he made an improper and unauthorized use of the name of a member of Government, and promoted the belief at Baroda that he enjoyed the support of that gentleman through corrupt influence.

4. The purport of the above should be communicated to the collector of Ahmedabad, with instructions to suspend Nursoo Luximon from the exercise of all official functions, and to direct that individual to proceed at once to Baroda, to appear before the commission.

5. A similar communication should be made to Lieutenant-colonel Outram, with a request that he will inform us whether, if he be appointed prosecutor, under section 4 of the Act I have before quoted, he is prepared to act as such.

6. Mr. Frere should likewise be made acquainted with the purport of our resolution, and be asked to fix the time for the assembling of the commission, after he shall have communicated with Lieutenant-colonel Outram and the collector of Ahmedabad.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

16 May 1851.

— No. 41. —

No. 504 I.

No. 165 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to
W. E. Frere, Esq., Civil Service, Bombay.

Sir,

I AM directed to inform you that the Right Honourable the Governor in Council is pleased, under the provisions of Act XXXVII. of 1850, to appoint you a commissioner to inquire into the truth of certain charges which have been preferred against Nursoo Luximon, late native agent at Baroda, by Lieutenant-colonel Outram, c.B., Resident at that Court.

2. You will be pleased at your early convenience to proceed to Baroda, and to carry on the investigation there, unless the accused party object to the proceedings being conducted in that place, in which case you should refer to Government for instruction.

3. The charges against Nursoo Luximon are,

1st. That he, on or about the 12th May 1845, received from Baba Nafra, managing gomashtha of the firm of Hurree Bhugtee, the sum of 20,000 rupees as a bribe, given apparently with a view to secure his (Nursoo Luximon's) services in behalf of the firm in the case then pending before Government concerning the dispute between the above firm and the sons of the late Gungadhur Shastree.

2d. That he, on or about the 19th or 20th of October 1848, received from Baba Nafra, as a bribe, the sum of 28,070 rupees, being in part payment of a sum of 78,070 rupees, to be paid by Baba Nafra for the exercise of his influence in his (Baba Nafra's) favour in the inquiry respecting the alleged abduction of the child of Joetabhæe Shetanee.

3d. That

3d. That he betrayed his trust as head of the native establishment of the Baroda Residency, by withholding from his superiors information of importance connected with the case of Gorajee Pol.

4th. That he was guilty of a like betrayal of trust in suppressing information in his possession bearing on the case of Govind Rao Gaekwar.

5th. That in the Joeetabhaee case he furnished false information to his official superiors.

6th. That he instigated Baba Nafra to depute an agent to Bombay for the purpose of bribing certain persons there.

7th. That he made an improper and unauthorized use of the name of a member of Government, and promoted the belief at Baroda that he enjoyed the support of that gentleman through corrupt influences.

4. Copies of my letters of this date to the Resident at Baroda and the Collector of Ahmedabad are enclosed for your information, and I am desired to request that, after communicating with those officers, you will fix the time for the opening of the commissioner's proceedings, reporting the same to Government.

I have, &c.

(signed) *A. Malet*,

Chief Secretary to Government.

Bombay Castle, 16 May 1851.

— No. 42. —

No. 166 of 1851.—Secret Department.

No. 504 J.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *E. L. Jenkins*, Esq., Acting Collector and Magistrate of Ahmedabad.

Sir,

I AM directed to inform you that the Right honourable the Governor in Council has, under the provisions of Act XXXVII. of 1850, appointed Mr. W. E. Frere a commissioner for the purpose of investigating certain charges which have been preferred by Lieutenant-colonel Outram, Resident at Baroda, against your dufterdar, Nursoo Luximon.

2. You are accordingly directed, on the receipt of this letter, to suspend Nursoo Luximon from the exercise of all official functions, and cause him to proceed at once to Baroda, for the purpose of appearing before the commission appointed to inquire into the above charges.

I have, &c.

(signed) *A. Malet*,

Chief Secretary to Government.

Bombay Castle, 16 May 1851.

— No. 43. —

No. 167 of 1851.—Secret Department.

No. 504 K.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, C.B., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 13th instant, and to inform you that Government has been pleased, under the provisions of Act XXXVII. of 1850, to appoint W. E. Frere, Esq., a commissioner, for the purpose of investigating the charges preferred by you against your late native agent, Nursoo Luximon.

2. The Collector of Ahmedabad has been directed to suspend Nursoo Luximon from the exercise of all official functions, and to cause him to proceed at once to Baroda to appear before the commission.

3. You will be pleased to report without delay whether, if you are appointed prosecutor in this case, under the provisions of section 4 of Act XXXVII. of 1850, you are prepared to act as such.

560.

6 K

4. A copy

4. A copy of my letter of this date to Mr. Frere is enclosed for your information.

I have, &c.

Bombay Castle, 16 May 1851. (signed) *A. Malet*,
Chief Secretary of Government.

— No. 44. —

No. 504 L.

No. 168 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *Outram*, c.B., Resident at Baroda.

Sir,

WITH reference to my letter of this day's date, informing you of the appointment of a commission to investigate charges against your late native agent Nursoo Luxmon, I am directed by the Right honourable the Governor in Council to inform you, that the decisions of Government in the several other cases now before it, in which that person is implicated, either directly or indirectly, will not be communicated to you until the result of that commission is known.

I have, &c.

Bombay Castle, 16 May 1851. (signed) *A. Malet*,
Chief Secretary.

— No. 45. —

No. 504 M.

From Lieutenant-colonel *Outram*, c.B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, No. 167, intimating that a commission has been appointed for the purpose of investigating the charges preferred by me against Nursoo Punt, my late native agent, and requesting me to report whether, if I am appointed prosecutor in this case, I am prepared to act as such.

In reply, I have the honour to state, that I am ready to prosecute the accused on the charges stated in your letter, No. 165, to Mr. Frere, copy of which has been furnished to me.

With reference to the second para. of your letter to Mr. Frere, relative to the possibility of a change of venue for the trial, I beg that it may be remembered, that as the charges will have to be supported by a vast mass of evidence, both documentary and oral, it will be impossible for me to do justice either to Government or myself, should the case be tried anywhere else than where the offence was committed.

I have, &c.

Bombay, 17 May 1851. (signed) *J. Outram*,
Resident.

— No. 46. —

No. 504 N.

MINUTE by the Right honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

COLONEL OUTRAM should now be appointed to act as prosecutor in this case, under section 4, of Act XXXVII. of 1850.

17 May 1851. (signed) *Falkland*,
D. A. Blane,
A. Bell.

— No. 47. —

No. 170 of 1851.—Secret Department.

No. 504 O.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *Outram*, C.B., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council, in reply to your letter of this day's date, to inform you, that, under section 4, of Act XXXVII. of 1850, you are appointed prosecutor in the matter of the charges against Nursoo Luxmon, which are to be inquired into by W. E. Frere, Esq., nominated a commissioner for that purpose under the above Act.

I have, &c.

Bombay Castle, 17 May 1851.

(signed)

A. Malet,

Chief Secretary.

— No. 48. —

From Lieutenant-colonel *Outram*, Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

No. 504 P.

Sir,

WITH reference to your letter of yesterday's date, No. 168, informing me that the decisions of Government in the several other cases now before it, in which Nursoo Luximon, my late native agent, is implicated either directly or indirectly, will not be communicated to me until the receipt of the newly appointed commission for his trial is known. I beg that you will do me the favour of stating to the Right honourable the Governor in Council, that in the case of the bribe offered to Soorujram Gungaram by Baba Nafra, Nursoo Punt* in any way implicated; and that, although in the case of the abduction of Joitabae's child, Nursoo Punt is greatly implicated, yet the decision of Government on Baba Nafra's guilt, in that case, is perfectly distinct and unconnected with him. In my complaint against Mr. Andrews also, this person is not concerned; I therefore trust that it is not intended to withhold the decision of Government in these cases; for I beg most respectfully, but earnestly, to state, that the silence of Government on these points will not only have the most prejudicial effect on the commissioners' investigation, by strengthening the hands of those who are interested in the continuance of corruption, but will undoubtedly be deemed by the people of Baroda a condemnation of my conduct.

S. O.

I beg to be understood as not presuming in any way to dictate to Government the course they are to pursue; but it is my duty, as their representative at Baroda, to place before them the consequences which will inevitably result from any further delay in disposing of those questions.

I have, &c.

Bombay, 17 May 1851.

(signed)

J. Outram, Resident.

— No. 49. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

No. 504 Q.

IT was not the intention of Government to intimate that the decisions on those cases in which Nursoo Punt is not implicated, should be withheld until after the result of the commission shall be known.

The cases of Mr. Andrews and of Joitabae are now under our consideration; but Lieutenant-colonel Outram must be aware that the voluminous papers in which the details of these cases are set forth, preclude the possibility of our immediately arriving at a conclusion on their merits.

Lieutenant-colonel Outram, however, can have no reason to regard this postponement of the final expression of our opinion as indicating any other than a sincere intention on the part of Government to afford him all the aid he can fairly expect in his efforts to do all that is likely to promote the detection and exposure of any nefarious or irregular transaction.

I think that, under all the circumstances of the case, it will perhaps eventually be more satisfactory to Lieutenant-colonel Outram, as well as to Government, if our decisions are for the present withheld in all the cases he mentions.

(signed) *Falkland.*
 17 May 1851. *D. A. Blane.*
A. Bell.

— No. 50. —

No. 172 of 1851.—Secret Department.

No. 504 R.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, C.B.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of this day's date, requesting, for reasons therein stated, that Government will not withhold their decision on your reports relative to the bribe offered to your native agent by Baba Nafra, to the complaints made by you against Mr. Andrews, and such portion of the inquiry concerning the abduction of the child of Joeetabae Setance, as does not affect Nursoo Punt.

In reply, I am instructed to state, that in my letter, No. 168, it was not intended to be intimated to you that the decisions on those cases in which Nursoo Punt is not implicated should be withheld until the result of the commission is known, but that, as in the cases of Joeetabae Shetance and Mr. Andrews, now under consideration, the details are so voluminous as to preclude the possibility of Government speedily arriving at a conclusion on their merits, it is considered that, under all the circumstances of the case, it will probably be eventually more satisfactory to Government, as well as to yourself, that the decisions in all the cases alluded to by you be withheld for the present.

I am, in conclusion, directed to inform you, that this postponement of the final opinion of Government must not be regarded by you as indicating any other than a sincere intention on the part of Government to afford you all the aid you can fairly expect in your efforts to direct and expose any nefarious or irregular transactions.

I have, &c.

Bombay Castle, 17 May 1851.

(signed) *A. Malet*,
 Chief Secretary.

— No. 51. —

No. 504 S.

From *W. E. Frere*, Esq., to *A. Malet*, Esq., Chief Secretary.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 165, dated the 16th instant, informing me that the Right honourable the Governor in Council has been pleased to appoint me a commissioner under Act XXXVII. of 1850 to inquire into certain charges brought by Colonel Outram, C.B., Resident at Baroda, against Nursoo Luxamon, late native agent at that court.

2. I am not aware whether the question of appointing more than one commissioner for this duty has ever been considered by Government; but in the event of its not having been so, I venture to suggest that, adverting to the high situation held by the accuser, the serious nature of the charges, and the important office filled by the accused, it would ultimately be more satisfactory to all parties, including Government, that the commission should not be filled by one person alone, but that one or more others should be associated with me.

3. In the event, however, of Government having already determined that I am to be the sole commissioner, I trust they will not object to allowing me a junior officer from either the civil or military service (unconnected with Guzerat) to assist me in arranging and translating papers.

4. As your letter contains no instructions regarding establishment, I presume I am at liberty to entertain what establishment I find necessary, and submit contingent bills for their pay.

5. As there is no person officiating as agent for the Right honourable the Governor in Surat, and the duties of that office might be carried on at Baroda, I presume Government would wish me on my way through to receive charge of the agency, but leave the Adawlut, for which provision has already been made, undisturbed.

I have, &c.

Bombay, 19 May 1851.

(signed)

W. E. Frere,

Civil Service.

— No. 52. —

MINUTE by the Right honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

No. 504 T.

MR. FRERE may be informed, that the question whether he should be associated with one or more colleagues, was maturely considered by Government in the first instance; that we have determined to entrust the duty to one person.

2. Mr. Frere should, I conceive, be allowed to select an officer to act as his assistant, and I propose that the person filling the temporary appointment should be allowed, as the pay attached to it, 150 rupees per mensem during the time he holds it.

3. I am of opinion that Mr. Frere's proposal, as to his establishment, should be acceded to.

4. Much as I shall regret the delay which will occur in the settlement of many important matters, the duty of investigating which appertains to Mr. Frere's office, as agent for the Governor at Surat, I am yet very unwilling to appoint any one else to act in that capacity at the present juncture. I think Mr. Frere should take up his appointment in going through Surat, and be requested to inform us, after he has done so, whether he can satisfactorily perform at Baroda the ordinary duties it entails.

(signed)

Falkland.

D. A. Blane.

A. Bell.

21 May 1851.

— No. 53. —

No. 177 of 1851.—Secret Department.

From *H. E. Goldsmid*, Esq., Secretary to Government, Bombay, to
W. E. Frere, Esq., Civil Service, Bombay.

No. 504 V.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 19th instant; and with reference to the second para. thereof, to inform you, that the question whether you should be associated with one or more colleagues in investigating the charges preferred by Colonel Outram against Nursoo Luxmon was maturely considered before your nomination to the duty, and that Government has determined to entrust the same to you only.

2. With reference to para. 3 of your letter, the Right honourable the Governor in Council is pleased to allow you to select an officer to act as your assistant while conducting the investigation, and to assign as the pay of the temporary appointment, an allowance of 150 rupees per mensem during the time it is held. You will be pleased to state the name of the officer selected for this duty.

3. As regards establishment, the proposal contained in your fourth para. is sanctioned by his Lordship in Council.

4. In conclusion, I am desired to instruct you, in passing through Surat, to take up your appointment of agent to the Right honourable the Governor at that station, and to request that you will have the goodness, after so doing, to state, for the information of Government, whether you will be able satisfactorily to perform at Baroda the ordinary duties of the appointment.

I have, &c.

(signed) *H. E. Goldsmid,*
Secretary to Government.

Bombay Castle, 23 May 1851.

— No. 54. —

No. 504 U. MINUTE by the Right Honourable the Governor, concurred in by the Honourable Messrs. *Blane* and *Bell*.

I BEG to propose that Lieutenant J. T. Jameson, 28th Native Infantry, be appointed assistant to W. E. Frere, Esq., appointed commissioner to investigate matters at Baroda.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

21 May 1851.

— No. 55. —

No. 179 of 1851.—Secret Department.

No. 504 W. From *H. E. Goldsmid*, Esq. Secretary to Government, Bombay, to Lieutenant *J. T. Jameson*, 28th Regiment Native Infantry.

Sir,

I AM directed to inform you, that the Right honourable the Governor in Council is pleased to appoint you to perform the duties of an assistant to W. E. Frere, Esq., commissioner for the investigation of certain matters at Baroda, and to grant you an allowance of 150 rupees per month while employed on this duty.

2. You will be pleased to place yourself immediately under Mr. Frere's orders.

I have, &c.
(signed) *H. E. Goldsmid,*
Secretary to Government.

Bombay Castle, 27 May 1851.

— No. 56. —

No. 168 of 1851.

No. 504 X. From *E. L. Jenkins*, Esq., Acting Collector and Magistrate, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to inform you, that, agreeably to the instructions contained in your letter, No. 166, dated the 16th instant, I have suspended my dufterdar, Nursing Rao Luximon, and directed him to proceed to Baroda, for the purpose of appearing before the commission appointed to investigate the charges which have been preferred against him by Colonel Outram.

I have, &c.
(signed) *E. L. Jenkins,*
Acting Collector and Magistrate.

Camp Dholka, 22 May 1851.

— No. 57. —

MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell*.

No. 504 Y.

MR. FRERE to be informed.

30 May 1851.

(signed) *D. A. Blane.*
A. Bell.

— No. 58. —

No. 183 of 1851.—Secret Department.

From *H. E. Goldsmid*, Esq., Secretary to Government, Bombay, to *W. E. Frere*, Esq., Civil Service, Bombay.

No. 504 Z.

Sir,

WITH reference to the 4th para. of Mr. Chief Secretary Malet's letter, No. 165, dated 16th ultimo, I am directed, by the Right honourable the Governor in Council, to transmit, for your information, copy of one from the Acting Collector of Ahmedabad, No. 168, dated the 22d idem.

I have, &c.

Bombay Castle, 31 May 1841.

(signed) *H. E. Goldsmid*,
Secretary to Government.

— No. 59. —

No. 201.

RESOLUTION of Government in the Secret Department.

No. 504 Z A.

ORDERED, that copy of the above letter, dated the 16th ultimo, No. 166, be transferred to the Territorial Department, Revenue, for information.

Bombay Castle, 11 June 1851.

(signed) *A. Malet*,
Chief Secretary.

— No. 60. —

PETITION from *Nursoo Luxoomun*, Ex-Dufturdar of Ahmedabad, to the Right Honourable Lord Viscount *Falkland*, G.C.H., Governor and President in Council, Bombay,

No. 504 A A.

Showeth,

THAT your petitioner was suspended from his employ in consequence of the several charges having been brought against him by Colonel Outram, the Resident at Baroda, and ordered to proceed there for the purpose of appearing before W. E. Frere, Esq. whom the Government have appointed for their investigation. This was communicated to him by the Acting Collector of Ahmedabad in a letter dated 22d May 1851. That, in accordance with this order, your petitioner immediately set out for Baroda, where he has now arrived, and shall appear before the said gentleman on his arrival, according to the instructions conveyed to him.

2. That formerly, in 1848, when Colonel Outram received just replies from Government to the reports which he had made against your petitioner, he was very much displeased, whereby a misunderstanding arose, and to this extent, that the former has long been endeavouring to put the latter down, and even to effect his death. That it has only been about a year since your petitioner was transferred from Baroda to Ahmedabad, and during which time several attempts have been made to throw accusations upon him; but, in consequence of his usual just behaviour with which he discharged his duties at Baroda for a period of six years, and to the entire satisfaction of the predecessors of Colonel Outram,

there have been no grounds whatever to frame any proceedings against him, and therefore it thus followed that his opponents were taken to afford their assistance in this affair, and who, having endeavoured to fabricate several documents and produce false witnesses, raised large proceedings against him. That your petitioner had some information about this from a report which was current amongst the public, and he often intended to apply to Government on the subject, but remained quiet, trusting there has been no injustice experienced by any individual at the hands of this Government, and accordingly the Government have been pleased to appoint a commissioner, which not only pleased him, but gave some hopes of getting redress through justice.

3. That your petitioner has not the least objection to obey an order which has been passed by Government, had it not been for the severity which has been exercised on him in one instance, which gave him cause to be very sorry, and hurt his feelings, considering himself to have entirely been driven from this world. That a final decision of Government in this case would, of course, have had its regular procedure; but, prior to that, he has been ordered to be suspended, upon an *ex parte* statement of the Resident, which has entirely been brought up through malice, and gives reason to suspect that Government did not act under any considerations whatever, which would make a fair play on both sides. That your petitioner further goes on to explain this more fully. That the fact of his having been deprived by Government of the rank and honour to which he has been exalted by them before a final investigation, has caused a great disgrace to him amongst the public, particularly with respect to his personal character as a public servant. That the fact of your petitioner's case having been heard with astonishment by several persons in the service of Government, who have been promoted by his advice, and, after a pattern of his behaviour, he has been subject to their ridicule and laughter at large. That he does not deem it expedient to dwell describing his own character himself at length, but he trusts Government will be graciously pleased to consider severely* on this subject.

* S. O.

4. That your petitioner thought it necessary to represent to Government at present, because the public rumours of Baroda, which he heard at Ahmedabad, were found to be true on his arrival here. That no stranger has come forward as a complainant in this case but the Resident, Colonel Outram, who has been placed in full authority of that function, while the defendant is merely a native, who has been reduced to disgrace, as also he is a stranger in a strange land. That therefore every Government servant, along with the subordinates of the State, as well as sahookars, &c., of the city, stand in awe of the Resident, so much so, that none of them would venture to write, assert, or tell any fact truly against his will; and, notwithstanding your petitioner's just behaviour while in the service of Government, a fabrication has been raised against him without any foundation whatever; and, as it seems quite impossible for the witnesses, &c., to depose truly when the investigation will take place, he entertains great fear whether he will succeed. However, at this crisis he depends entirely on the Almighty for assistance; and because he cannot describe at length in what manner the Resident has taken the depositions and statements from witnesses, &c., previously; moreover, he is given to understand that they have already been made to sign their affidavits, and while the Resident has full authority here, and the whole of the Durbar is also subordinate to him, it does not appear there has been left any other way for them to state the facts as they have been. That your petitioner begs to observe, that a similar case was formerly investigated at Surat, when the Government acted fairly in not allowing the authorities to be present at the investigation; but in the present instance he does not think that Government can consider it right not to order, for the sake of a poor servant, who has merely been a carcoon, the presence of such a confidential and high functionary, on whose *ex parte* statement they have at once suspended him. He has presumed to send this application merely to inform the Government of the state of the circumstances in which he has been placed at present.

5. That your petitioner most respectfully begs to represent that your Lordship in Council will consider the propriety of the above-written articles, and act in a measure which may be found justifiable and convenient.

6. That

6. That your petitioner, in conclusion, here begs to explain the assertion made in the 4th article of this petition by an instance, as follows: that it has been three days since his arrival at the village of Chanee, near Baroda, and he has been finding a house to reside in the city, but he cannot get one even on rent, and not only this, the people object him the temples and other charitable houses, which have been built for the benevolent use of the public at large, because they are all afraid of the Resident, who, if they incur his displeasure, would cause their ruin. However, your petitioner does not consider it necessary to bring the same to the notice of Government, and he has mentioned it here merely as a matter of form.

S. O.

And your petitioner, as in duty bound, shall ever pray.

Baroda, 1 June 1851.

(signed) *Nursoo Luxoomun.*

— No. 61. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Messrs. *Blane* and *Bell*.

No. 504 B B.

THIS petition does not appear to be the original one, which however accompanies it, and is written in Mahratta. I think *Nursoo Luxoomun* should be informed, through *Mr. Frere*, that any representation he has to make should be forwarded through that gentleman, to whom the Mahratta original, and a copy of this translation, should be sent without delay.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

14 June 1851.

— No. 62. —

No. 202 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to
W. E. Frere, Esq., Baroda.

No. 504 C C

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you an original petition in Mahratta from *Nursoo Luximon*, dated the 1st instant, together with copy of an English petition which accompanied it, of the same date, and to request that you will inform the petitioner that any representation he has to make to Government should be submitted through you.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 16 June 1851.

— No. 63. —

From *W. E. Frere*, Esq. to *A. Malet*, Esq., Chief Secretary to Government,
Bombay.

No. 504 D D.

Sir,

I HAVE the honour, as directed in the last para. of *Mr. Secretary Goldsmid's* letter, No. 177, dated the 23d ultimo, to report, for the information of the Right honourable the Governor in Council, that I find my predecessors in the office of Agent for the Right honourable the Governor, at *Surat*, performed all the duties of the appointment when on circuit at *Broach*, and that as I have every reason to believe that I can perform the ordinary duties of the office equally satisfactorily at *Baroda*, and by taking the office establishment with me, that I

may place in train for disposal many of the subjects now awaiting my report or decision, I have directed such of the establishment as I shall require, to attend me with the records at Baroda.

Surat, 9 June 1851.

I have, &c.
(signed) *W. E. Frere.*

— No. 64. —

No. 504 F F. MINUTE by the Right Honourable the Governor, concurred in by the Honourable Messrs. *Blane* and *Bell*.

Mr. FRERE's proceedings may be approved.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

17 June 1851.

— No. 65. —

No. 219 of 1851.—Secret Department.

No. 504 G G. From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *W. E. Frere*, Esq., Agent for the Right Honourable the Governor at Surat.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 9th instant, and in reply to inform you that the Right honourable the Governor in Council approves of your proceedings therein reported.

I have, &c.

(signed) *A. Malet*,
Bombay Castle, 27 June 1851. Chief Secretary.

— No. 66. —

No. 504 H H. From *W. E. Frere*, Esq. to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

As directed in the 4th para. of your letter, No. 165, dated the 16th ultimo, I have the honour to report, for the information of the Right honourable the Governor in Council, that I have fixed Wednesday the 11th instant as the day for opening the commission's proceedings at Baroda.

I have, &c.

Surat, 9 June 1851.

(signed) *W. E. Frere.*

— No. 67. —

No. 227 of 1851.

No. 504 I I.

RESOLUTION of Governor in the Secret Department.

ORDERED, that an intimation be made to the Judicial Department, that Mr. *W. E. Frere*, Judge of Surat, has been deputed to Baroda on special duty.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 2 July 1851.

— No. 68. —

No. 946 of 1851.—Persian Department.

No. 504 J J.

MEMORANDUM.

WITH reference to the transfer from the Secret Department No. 230 of to-day's date, the deputy secretary has the honour to forward the accompanying khureeta to the address of his Highness Gunputrao Gaekwar, together with a copy of its English version.

(signed) *A. Richardson,*
Deputy Secretary to Government,
Persian Department.

Bombay Castle, 2 July 1851.

TRANSLATION of a Letter from the Honourable Mr. *David Anderson Blane* to his Highness Gunpatrao Gaekwar, dated 2 July 1851.

After Compliments,

FURTHER, in the absence of the Right honourable the Governor from the Presidency, I beg to inform your Highness that Mr. W. E. Frere has been appointed a special commissioner to inquire into certain charges which have been brought by the Resident at Baroda, against Nursoo Luxoomun, the late native agent, and request that your Highness will afford aid in effecting the object for which the Commission has been appointed.

For the rest, &c. &c. &c.

(True copy.)

Chief Secretary.

— No. 69. —

No. 504 K K.

AUDIT on an ABSTRACT of PAY due to the Establishment entertained by Mr. *W. E. Frere*, whilst employed on Special Duty at *Baroda*, for the Month of June 1851.

Registered Number of 1851-52.	SUBJECTS OF AUDIT.	AMOUNT.	REMARKS BY THE ACTING CIVIL AUDITOR.	ORDERS of GOVERNMENT.
1842	- - Pay due to the establishment employed by him, whilst employed on special duty at Baroda, for the month of June 1851, viz. — G. W. Faulconer - Suckaram Ramchunder	<i>Rs. a. p.</i> 120 - - 30 - - 150 - -	The authority quoted in support of this charge is the Government letter No. 177 of the 23d May 1851, Secret Department, which does not appear to have been communicated to this office: the charge is therefore respectfully submitted for the orders of the Right honourable the Governor in Council. Instructions are also solicited as to the head to which this charge and other expenses consequent on Mr. Frere's employment on the special duty, should be debited. (signed) <i>G. J. Blane,</i> Acting Civil Auditor. Bombay Castle, Civil Auditor's Office, 10 July 1851.	Passed, with an intimation that all charges incurred on account of Mr. Frere's employment on the duty on which he is now employed, should for the present be debited to the head of "Baroda Commission." By order of the Right honourable the Governor in Council. (signed) <i>A. Malet,</i> Chief Secretary. Bombay Castle, 24 July 1851.

— No. 70. —

No. 504 L L. MINUTE by the Right Honourable the Governor, concurred in by the Honourable Messrs. *Blane* and *Bell*.

1. THESE charges may be passed under the authority contained in the third para. of the Government letter to Mr. Frere, dated the 23d May last, No. 177.

2. All charges incurred on account of Mr. Frere's employment on the duty on which he is now engaged, should for the present, be debited to the head of "Baroda Commission."

(signed) *Falkland.*
D. A. Blane.
A. Bell.

15 July 1851.

— No. 71. —

No. 504 M M. FROM Lieutenant-colonel *J. Outram*, Resident, Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

Secret Department.

I HAVE the honor to transmit for the information of the Right honourable the Governor in Council, the purport of a communication addressed by me personally to his Highness the Guickwar, yesterday evening, and I have to request that in doing so, you will, with the least possible delay, bring to the notice of his Lordship, the absolute necessity that exists for his interposing the authority of his Government, to secure the co-operation of the court and subjects of his Highness, without which the commission now sitting at Baroda must necessarily prove a delusion, a mockery, and a snare.

2. As an illustration of my meaning, I have to cite the unseemly exhibition made yesterday in the Commission Court referred to in my communication to his Highness. I had occasion to call as a witness Gopal Row Myral, the leading soucar in Baroda, for the purpose of giving evidence as to matters of banking usage; when desired by Mr. Frere to take the oath, he laughed at the proposition in a most insolent manner, obstinately refused to be sworn, and for a considerable time, sat strumming carelessly on the table, varying his amusement by bursts of merriment.

3. After many solicitations from the Native Agent, and assurances on the part of the court, that were the Governor himself present and his evidence required, he would submit to be sworn, he agreed to take the oath, but just as the carkoon commenced the formula, he resumed his merriment, and not until I had given orders for a yad to be prepared for transmission to his Highness on the subject, did he consent to be sworn; but when sworn, he resolutely refused to reply to the questions put to him, on the plea that I had once before examined him on the same subject.

4. I have been given to understand that several other witnesses, those whose evidence is likely to be prejudicial to Nursoo Punt, have determined on following Gopal Row's example. I have information of others having been influenced by parties about the Durbar to forswear themselves, if their evidence be insisted on, I have proof that several individuals have been persecuted in various ways, on account of evidence formerly rendered by them to the detriment of Nursoo Punt, and I have reason to believe that further persecutions are in store, if they persist in giving testimony of a similar import.

5. Under such circumstances as these, his Lordship in Council cannot suppose that it will be in the commission's power to arrive at the full truth of the case, and the only means by which their effect, whether for or against the accused, can be mitigated, is by Government authorising me to declare in an emphatic manner, to his Highness, that he will be required to manifest the severest displeasure towards, and effectually to punish all who in any way display, contempt of the Commission's Court, or who may be convicted of perjury or other criminal practices, in respect of the evidence they give; and that in the case of persons enjoying the British guarantee so offending, their guarantee will be annulled.

6. To

6. To show the shameless manner in which the influence of the Durbar has been exerted to deter witnesses from giving evidence against Nursoo Punt, I beg to annex extract from my diary of information, of what has occurred within the last three days, derived from unquestionable sources.

7. I trust I may be favoured with an early communication of the orders of Government in this matter.

I have, &c.
(signed) *J. Outram*,
Resident.

Baroda, 27 June 1851.

VERBAL Communication to his Highness by the Resident, on the 26th June 1851.

THE Resident brings to the notice of your Highness, that yesterday Gopal Row Myral behaved in a most improper manner in the court and presence of the commission appointed to try Nursoo Punt, late Native Agent of the residency, by, in the first instance, demurring to take the oath the commission required to administer, and afterwards refusing to answer the questions put to him, through the commission.

Your Highness must be aware that an English judge can commit to prison and otherwise punish and disgrace any British subject who either gives false evidence, or refuses to give evidence, or otherwise behaves unbecomingly in his court. The commission cannot punish a Guicowar subject, but he can report to Government the conduct of any Guicowar subject who gives false evidence, or refuses to give evidence, or otherwise behaves improperly before him, and it would be a source of distress to your Highness that any such complaint should be made; moreover, on the occasion of any recurrence of such conduct, it will be my duty to call upon your Highness to punish such offender, and to recommend to Government in addition, that the party so offending, be excluded from the residency, and if possessing the British guarantee, that his guarantee be annulled.

The Resident does not choose to bring to the notice of your Highness, until the completion of the commission's labours, the conduct of certain influential persons about the Durbar, who are engaged in attempts to influence witnesses, and to conceal truth; but when Nursoo Punt's trial is over, the Resident will send a yad to your Highness on the subject.

The Resident having read this memorandum, has now to inform your Highness that he purposes transmitting the same for the information of the Right honourable the Governor in Council.

(signed) *J. Outram*,
Resident.

EXTRACT from Diary of Information, Baroda, 25 June 1851.

BHOW TAMBAKUR, the Guikwar's minister, has for the last five or six days, been exercising much oppression on persons who are in the habit of visiting the Native Agent, as also on those who have given evidence lately at the residency, as follows:

1. Three sowcars of Nanna Funseeab, who were employed in Gorpuria's Pagah, were discharged yesterday (the 24th) because he, Nanna Funseeab, gave evidence at the residency.

2. Byajee Wugnot came to the residency and recognized the handwriting of the yad of 20,000 rupees, for which reason he was deprived of his assamee in the Guikwar service three days ago.

3. Ballajee Fembram, a carkoon in the employ of Gopalrow Myral, has incurred the displeasure of his master for recognizing the handwriting of the yad above alluded to.

4. Bapoo Kurseekur having attended at the residency, and given his evidence, his creditors have been made to importune him, his house is going to be measured, and it is their intention to have him turned out of his house.

5. Bapoo Arkott having given his evidence at the residency in the case of the yad of 28,070 rupees, his nemnook of 1,200 rupees per annum from the Sirkar has been stopped, and he has also been fined 200 rupees in the plea of a certain charge got up against him.

6. Amoo Meah having visited Soorujram, his 12 sepoy who were in the service have been discharged, and he has incurred the displeasure of Bhow Tambeykur, wherefore he has been directed to give "chor chitty," of the Attersoomba Mhal.

7. Damodhur Punt Gorgusta (karbarry of Janneo Meah) having formerly attended the residency to give evidence regarding the yad of 20,000 rupees, and having once lent his mare to Baba Furkey, which was taken back from him, has incurred Tambeykur's displeasure, and his ruin is certain.

8. Bhasker Row Wittul having given evidence at the residency regarding the yad of 28,070 rupees, and his carkoon, Gunputrow Wakeshkur, being much in the habit of frequenting the residency, his (the carkoon's) father, who was employed at the Durbar on

the part of the Guikwar vakeel, at Poonah, has been dismissed, and prohibited from going to the Durbar. A letter has been sent to the vakeel at Poonah, desiring him to fill up the appointment within 15 days. Gunputrow's brother was doing the duty of sheristedar, and has also been discharged from his situation: this order was given while Bhow Tambeykur was sitting by the Maharaj.

26th June.

9. The patells of Kasseepoora having now been summoned to attend at the residency, they have been importuned for the last two days to give up to the Durbar their "guraneea" (mortgaged) lands. The object of taking this land is to show that the great increase in the revenue for 1906 (A.D. 1850) is to be attributed to them.

(True extract.)

(signed) *J. Outram*, Resident.

— No. 72. —

No. 504 N N. MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell*.

COLONEL OUTRAM does not state whether Mr. Frere, the special commissioner, requested him to make any representations to his Highness the Guickwar on the subject noticed in his report.

It should, therefore, be pointed out to him that any irregularity in this court is for the commissioner to notice to him as Resident, if he requires his aid, and on any requisition from that officer he can make the desired communication to his Highness the Guickwar.

It appears advisable that a letter should be immediately addressed to his Highness the Guickwar, informing him of the assembly of the commission, and requesting in general terms his aid in effecting the object for which it has been appointed.

This matter is so urgent that it should be disposed of at once, the papers being afterwards sent to the Right honourable the Governor.

(signed) *D. A. Blane.*
A. Bell.

2 July 1851.

— No. 73. —

No. 504 O O. MINUTE by the Right Honourable the Governor.

I CONCUR in the advisability of the steps taken by my honourable colleagues in my absence, and regret that these papers were not sent to me immediately on their being disposed of in Bombay.

(signed) *Falkland.*

18 July 1851.

— No. 74. —

No. 228 of 1851.—Secret Department.

No. 504 P P. From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, C.B., Resident at Baroda.

Sir,

IN reply to your letter, dated the 27th ultimo, reporting the measures adopted by parties at Baroda for obstructing the inquiries into the conduct of Nursoo Luxmon, I am directed by the Right honourable the Governor in Council to observe, that you have not stated whether Mr. Frere, the special commissioner, has requested you to make any representation to his Highness the Gaekwar on the subject; and to point out, that any irregularity in the court is for Mr. Frere to notice to you as Resident, if he requires your aid, and that on any requisition from that officer you can make the desired communication to the Gaekwar.

2. I am further desired to inform you, that a letter will be immediately addressed by the Honourable Mr. *Blane*, in the absence of the Right honourable the

the Governor, to his Highness the Gaekwar, informing him of the assembly of the commission, and requesting his Highness's aid in effecting the object for which it has been appointed.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 2 July 1851.

No. 229, of 1851.

Copy of the above letter to be sent to Mr. Frere for information and guidance.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 2 July 1851.

— No. 75. —

No. 230, of 1851.—Secret Department.

No. 504 Q Q.

ORDERED, that the Deputy Secretary to Government in the Persian Department be instructed immediately to prepare a letter for the signature of the Honourable Mr. Blane, in the absence of the Right honourable the Governor, to the address of his Highness the Gaekwar, informing his Highness that Mr. W. E. Frere has been appointed a special commissioner, to inquire into certain charges which have been brought by the Resident at Baroda against Nursoo Luxumon, the late native agent, and requesting in general terms his Highness's aid in effecting the object for which the commission has been appointed.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 2 July 1851.

— No. 76. —

Persian Department.

TRANSLATION of a Letter from the Honourable Mr. *David Anderson Blane* to his Highness Gunpatrao Gaekwar, dated 2 July 1851.

No. 504 R R.

A. C.

FURTHER, in the absence of the Right honourable the Governor from the Presidency, I beg to inform your Highness that Mr. W. E. Frere has been appointed a special commissioner, to inquire into certain charges which have been brought by the Resident at Baroda against Nursoo Luxoomun, the late native agent, and request that your Highness will afford aid in effecting the object for which the commission has been appointed.

For the rest, &c.

(True copy.)

— No. 77. —

No. 231, of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, to Lieutenant-colonel *J. Outram*, Resident at Baroda.

No. 504 S S.

Sir,

IN continuation of my letter, No. 228, of this date, I am directed by the Right honourable the Governor in Council to transmit to you for delivery to his Highness the Guicowar, a thylee containing the letter therein alluded to. An English version of the letter is annexed for your information.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 2 July 1851.

— No. 78. —

No. 143 of 1851.

No. 504 T T. From Lieutenant-colonel *J. Outram*, c.B., Resident at Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

Political Department.

WITH reference to your letter, No. 231, dated 2d instant, forwarding a khurreeta to the address of his Highness the Guicowar, I have the honour to transmit a khurreeta addressed to the Honourable D. Blane, Esq., in reply, dated 11th instant, translation of which is enclosed.

I have, &c.

(signed) *J. Outram*,
Resident.

Baroda Residency, 22 July 1851.

TRANSLATION of a Khurreeta from his Highness the Guicowar to the Address of the Honourable David Blane, Esquire, Member of Council, Bombay; dated the 11th Ramzan 1252 (corresponding with 11 July 1821).

After compliments

FURTHER, I have the pleasure to receive your letter, dated the 2d Ramzan 1252 (A.D. 2 July 1851), to the effect that the Resident having brought charges against the late native agent, Nursoo Luximon, and a Special Commissioner, in the person of W. E. Frere, Esq., having been appointed to investigate them, you hope the Guicowar Government will assist in facilitating the object of the commission; in reply be it known, that the Guicowar Government will not fail to render every assistance in its power.

(True translation.)

(signed) *Lewis Pelly*, Acting Assistant Resident.

— No. 79. —

No. 504 V V. From Lieutenant-colonel *Outram*, c.B., Resident, Baroda, to *Arthur Malet*,
Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to request that I may be supplied with copies of any correspondence that may have taken place between Government and Nursoo Punt, or any person or persons authorized to communicate with Nursoo Punt, relative to the letter to Nursoo's address, professing to be from Mr. Maurice, copy of which I introduced into my "Statement of Facts."

I make this request, as it has been reported to me, that Nursoo does not deny having shown the letter in question, and as it is of the utmost importance to the interests of the prosecution that I should be fully informed myself, and in a position to place before the Commissioner full information on this point.

I have, &c.

(signed) *J. Outram*, Resident.

Residency, Baroda, 26 July 1851.

— No. 80. —

No. 504 U U.

MEMORANDUM by the Chief Secretary.

THE Chief Secretary begs to state, that the original of the letter in question, and of other communications relative to it, were forwarded to Mr. Frere, at that gentleman's request; copies being returned to prevent accident.

(signed) *A. Malet*, Chief Secretary.

Bombay Castle, 1 August 1851.

— No. 81. —

MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable
Mr. *Bell*.

No. 504 W W.

COLONEL OUTRAM may be informed that the original of the letter he refers to, and other communications relating to it, have already been forwarded to Mr. Frere.

2 August 1851.

(signed) *D. A. Blane.*
A. Bell.

— No. 82. —

No. 269 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-
Colonel *J. Outram*, c.b., Resident at Baroda.

No. 504 X X.

Sir,

I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your letter, dated the 26th ultimo, and to inform you that the original of the communication therein referred to, and others relating to it, have already been forwarded to Mr. Frere.

I have, &c.
(signed) *A. Malet*, Chief Secretary.

Bombay Castle, 4 August 1851.

(True extract).

(signed) *A. Malet*, Chief Secretary.

24.

Collection No. 2 of No. 19, Bombay Political Department,
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NURSOO PUNT.

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Bombay Castle, }
17 February 1852.}

(signed) A. Malet,
Chief Secretary.

— No. 1. —

Extract Bombay Political Consultation, 21 January 1852.

From W. E. Frere, Esq., Special Commissioner, Baroda, to A. Malet, Esq.,
Chief Secretary to Government, Bombay.

No. 504 Y Y.

Sir,

I HAVE the honour to forward herewith, for the purpose of being laid before the Right honourable the Governor in Council, my proceedings as Commissioner under Act XXXVII. of 1850, on the enclosed charges brought by Colonel Outram against Nursoopunt Luxmon, late native agent at Baroda, to which duty I was appointed in your letter, No. 165, of the 16th May last.

2. In the first charge, Nursoopunt was accused of false and unfaithful behaviour, in having conveyed erroneous information, and also in having withheld information from his official superior. This charge was subdivided into four instances, and in all of them, except in the second instance, Captain French, who was the official superior specified, has exonerated Nursoopunt from blame. In the second instance, Nursoopunt appears to have attempted to mislead Colonel Outram.

3. The second charge is betraying his trust, by allowing a false claim against Govind Row Guicowar to be prosecuted before the Resident, knowing it to be so, and withholding from the Resident documents which would have proved a part of the claim to be unjust. This charge has been proved against Nursoopunt.

4. The third charge is a similar betrayal of trust, in not bringing to notice the diminution in the revenues of Gorajee Pole's estate, and allowing a lease to be cancelled without bringing it to the Resident's notice. Nursoopunt has been acquitted on this charge.

5. The fourth charge is having received a bribe of 20,000 rupees. This charge is not established; but much suspicion attaches itself to Nursoopunt.

6. The fifth charge is having received a bribe of 28,070 rupees. This charge is also not proved; but great suspicion attaches itself to Nursoopunt.

7. The sixth charge is having instigated Baba Nafra to depute an agent to Bombay to bribe the Honourable Mr. Reid. In this case it is proved that Baba Nafra deputed a person to Bombay, who spent large sums of money ostensibly for purposes of corruption, and that Nursoopunt was aware of the person being so deputed, and connived at it; but it is not proved that he instigated Baba Nafra to depute the man, or that he was deputed with the specific object of bribing Mr. Reid.

8. The seventh charge is having made improper and unauthorised use of Mr. Reid's name; and that charge has been established.

9. In my finding on these several charges, I have endeavoured to confine myself to a consideration of the charge alone, and to exclude every remark not bearing upon Nursoopunt's guilt or innocence; and I therefore now avail myself of the provisions of section 21 of the Act to make observations on the case generally, and upon other subjects which have transpired during the inquiry. And as I believe this is the first instance in which a trial has been held under this Act, I shall likewise offer a few remarks on the practical working of it.

10. As regards the cases generally, I have, for the reasons stated below, refrained from any remarks upon the prosecutor's proceeding; but the Right Honourable the Governor in Council will not fail to observe that Nursoopunt has, in his defence, adopted the line most embarrassing to the trying authority. He pleads not guilty; but hardly ever attempts to prove any position he takes up, or to disprove any assertion made by the prosecutor, and all on the plea that he is an injured and oppressed person, whom nobody will countenance. The plea might be true; but, seeing with what difficulty the prosecutor has proved his cases, I cannot believe that Colonel Outram is aided by those in power at Baroda, nor that Nursoopunt could not obtain aid and evidence, if he really required it. And on this point I would call particular attention to Nursoopunt's having, in the seventh charge, been able to prove where he was on the 20th November 1848. It is hardly possible that he could have acquired the requisite information, except either from the Durbar or the residency; and I cannot persuade myself that he is oppressed, or that the line of defence which has been assumed throughout is not the result of policy rather than the force of circumstances. This feeling has not, I trust, warped my judgment, and I hope that his Lordship in Council will find that in all cases my opinion has been guided by nothing but a just appreciation of the evidence.

11. There has been a very voluminous document recorded by Colonel Outram, in the first charge (C.), a letter dated the 31st March last, being a history of the case of Joitabae, widow of Bechur Samuldass, from which it appears that Colonel Outram and Captain French, when Residents here, took different views of the case, Colonel Outram looking upon her as an oppressed and ill-used person, while Captain French appears to have thought her a person of very bad, not to say infamous, character; and throughout this document Colonel Outram accuses Nursoopunt of having misled Captain French. This, however, Captain French, in his evidence, which I have caused to be taken, does not bear out; and it seems but right, as Captain French has relieved Nursoopunt, that he should himself have an opportunity of refuting or admitting the truth of Colonel Outram's statements, which must now be all considered as referring to Captain French alone. It would have been better had Colonel Outram, before bringing this charge against Nursoopunt, ascertained whether Captain French was prepared to bear the responsibility of his own letters, or to join with Colonel Outram in showing that Nursoopunt had deceived him. But as that was not done, justice requires that Captain French should have an opportunity of defending or explaining his conduct.

12. It is, perhaps, hardly necessary to call upon Lieutenant Battye for any further explanation of the note upon document (G.) in the first case, since he has been examined on the subject, and is unable to account for what he has written.

13. I may here remark that I have purposely avoided in my findings, and throughout my proceedings, as well as in this letter, making any allusion to Colonel Outram as prosecutor; personal experience several years ago showed me the difficulties, unthought of before, which a prosecutor has to contend with (two remarkable instances are noticed by me in the fifth case); and unless I saw good grounds for believing the prosecutor was party to a conspiracy, or that justice to one, manifestly unjustly accused, demanded it, I should always wish to refrain from passing any remark on a failure to prove charges, or to elicit the expected evidence from a witness.

14. I have made no abstract or analysis of Colonel Outram's letter of the 31st March last, in my finding on the third instance of the first charge, because it was neither evidence against Nursoopunt nor required to elucidate the case. I however carefully read it, as I have done all his letters filed in each case; though many, perhaps all, of them might have safely been omitted.

15. The expediency would naturally suggest itself, from what appears on the inquiry into the second and third charges, of laying down some rules for the guidance of native agents at residencies, or at least for defining their duties and responsibilities. There is no doubt but that withholding a document from his superior is a grave offence in any servant; but all the rest of those two charges against Nursoopunt would have been avoided, or made susceptible of proof, without a special commission being sent to try them, if it had been the custom of the office to give written orders to the native agent when calling for reports; and I would suggest, that all orders and reports should be written on the document itself, and not on a separate paper, as appears to be the custom in this office, and which led Lieutenant Battye to sign an order, filed as B. 27, in the first case, and M. in the fifth, which it appears very certain he never could have meant, I may almost say dared, to have given.

16. The fourth and fifth cases require no remarks; the sixth and seventh charges, however, bring to light practices which require to be suppressed with a strong hand.

17. The sixth charge shows that the people here are so distrustful of the integrity of the higher, or, indeed, highest officials in Bombay, that they send agents there, and allow themselves to be persuaded that these men obtain corrupt influence over, and information from, persons high in office in Bombay; and though the integrity of the members of the Bombay Government is not to be doubted, yet if the belief exists that they are accessible to corruption, the evil is almost as great as if the Government was corrupt, and too strong measures could not be adopted to remove that idea.

18. This case also shows, that a man of the name of Craig, formerly a clerk in your office in the secretariate, and Moroba Ragoba, in the office of the paymaster in Bombay, are implicated in these transactions, but it was not necessary to enable me to come to a decision in this case, nor would it be possible here to ascertain the extent.

19. Again, in the seventh case it is shown that Nursoopunt received from Bombay, at the same time the Resident received it, information which could only have been obtained from one of the members of Government, yourself, or some clerk in your office; and we cannot then be surprised if the ignorant, unable to discriminate between unprincipled subordinates and the heads of Government, are misled by ideas so prejudicial to our own personal characters, as well as the character of the Government in general.

20. It would not have furthered the end for which I was sent here to have entered more in detail than I have done into the subject, but a reference to your records will show how much of "Mr. Maurice's" letter to Nursoopunt in the seventh case was copied from the minutes of Government, and whether the resolution in question originated with Mr. Reid, or was adopted from minutes made by him; and that would show whether the leading part Mr. Reid is said to have taken was pure invention, and consequently that the man signing him-

self "J. R. Maurice" might have been a mere clerk, or copyist, and have obtained all that was true of the information he sent from the letter he had to copy, or whether the whole account was correct, which would indicate that the writer held a confidential situation.

21. The conduct of Messrs. Smith, Rouget, Showel, and Thomas, in not having instituted some immediate inquiry, and denouncing the wrong-doer, appears most inexplicable; and unless the breach of trust herein indicated is considered a very venial offence in Bombay, one would have thought that their first impulse on finding that there was a traitor in the office, would have been to have tried to discover who he was, or at any rate have informed you of the fact, and thus have put you on your guard; but the evidence in this case goes to show, that though the letter was in Bombay in June 1849, you were not made acquainted with the fact until April last. Mr. Morris also appears to have evinced a degree of apathy not to be expected from a person either jealous of the honour of the Government he serves, or anxious to discover who had mis-used his, or a similar sounding name.

22. Had I while inquiring into Nursoopunt's conduct made any inquiry into the conduct of those mentioned above, I should have evidently gone beyond my commission; but I should as certainly have neglected my duty to Government did I not bring the subject thus prominently to your notice.

23. It would perhaps be an act of justice to Captain French, as connected with the seventh case, if he were allowed to explain how he came to answer your letter, No. 66, dated the 4th January 1847, which he could only have received on the 8th, so soon as the 9th, since twenty-four hours certainly would not suffice for him to ascertain whether a man of the name of Venaik Dhondeo was or was not to be found in a large city like Baroda. So immediate a reply to your letter is certainly open to much remark, and Captain French ought to be allowed to explain it.

24. There is also an unhappy concatenation of circumstances, which will not escape his Lordship in Council's observation, connected with this letter to Captain French, and that is, that the petition to which it gave cover contained reflections upon Nursoopunt's character, and was received in Bombay on the 20th November; but no notice appears to have been taken of it until the 4th of January following, when it is sent up for the Resident to inquire whether it be genuine, and was accompanied by another letter, permitting the Resident to retain the accused person in his situation. It is impossible that the head of an office can superintend all the details, but there must be some person in the office whose duty it would have been to have suggested to you that these letters, which stultified one another, should not have been dispatched on the same day, and it would then of itself have occurred to you that the permission to retain Nursoopunt in the service should have been withheld until the other letter was answered. It might, however, have so happened (and your records can alone prove it) that the order for sending the petition for report had been suppressed until the other letter was prepared, and then some greater offence than I have contemplated would appear to have been committed in your office.

25. As regards the working of Act XXXVII. of 1850, I would observe, that as the Commissioner cannot, like a session judge, conduct the trial, and is not furnished with anything similar to the proceedings of a magistrate, it would always be desirable that the prosecution should be conducted by a person well versed in judicial inquiries, as the only means of preventing the proceedings of the Commissioner being oppressed with irrelevant matter. The Right honourable the Governor in Council will perceive that in the present case several letters and reports of Colonel Outram have been recorded which were perfectly useless, but which the Commissioner could not have suggested should not be filed, without leading either one party or the other to imagine that the trying authority was biassed; and several documents also are entered on the prosecutor's list of exhibits, which would have been perfectly useless, but which, had Colonel Outram insisted on filing them, as the Act gives the Commissioner no power whatever to reject any evidence tendered, he must have placed on record. In the present case, I had no hesitation, when depositions were tendered as evidence, in saying they were of no use, the witness must attend himself, or that we had the

the witness's deposition, which was evidence, while that taken elsewhere was not so; but it would not have been right in me, as mentioned above, to have with equal publicity rejected the reports and letters offered; and therefore, as the less of two evils, I thought it better to record them, and trust to my being able, when weighing the evidence, to reject all that was not really and legally proof, rather than give either party an opportunity of imagining they could see the bent of my mind.

26. Another defect I observed, was that there is no provision in the Act as to the language in which the proceedings should be conducted. Notes of the evidence are to be recorded in English, but there is no provision for the evidence being explained to the prosecutor, or accused, if they do not happen to understand the language of the deponent, nor for the accused being made acquainted with the purport of the opening address, if delivered in a language he does not understand.

27. In this case, Nursoopunt was attended by his sons, who understand English remarkably well, and I always read out the answer to a question as I wrote it down, in order, if the prosecutor or accused took any objection to my note, it might be corrected at once, and the difficulty attending the opening address was got over, by Colonel Outram's allowing the accused to take it home, and read it himself, after it had been delivered; but similar facilities might not be afforded in other cases, and in the event of the prosecutor making a *vivâ voce* address without committing it to paper, the accused would have no opportunity of knowing what was said, and justice might be much impeded. The difficulty might be overcome by providing that the language of the commission should be the accused's mother tongue, or some language with which he was equally conversant, though the record should be kept, as it is now, in English.

28. It also occurred to me, that when proceedings are held as in this case in foreign territories, difficulties might arise in protecting the commission from contempts and perjuries. I am not in the habit of making everything that will bear that construction a contempt, and in one instance passed over unnoticed the unbecoming conduct of a sirdar, feeling certain that the respect due to the commission would not suffer from it; but on another occasion, finding repeated injunctions to be punctual were of no effect, and as a want of punctuality is not only a contempt of the commission, but an inconvenience to all parties in attendance, and again, when a man had clearly committed perjury, I sent the offenders, through the Resident, to the Durbar, with a request that the fine I mentioned might be inflicted on the former, and that if there was any law within his Highness's territories that would reach the man who had perjured himself, he might be punished, and my request was attended to in both cases. But equal respect might not be shown elsewhere to a commission of this nature. Some difficulty, however, is perhaps unavoidable, for the same authority who would not respect a British commission sent into his territories, would refuse to allow his subject to leave his jurisdiction for the purpose of appearing before a commission held within the British territories.

29. The last defect that I have noticed in the Act appears to me the most serious; it will be found in the 14th section; this restricts the Commissioner from calling for fresh evidence before the case for the prosecution has been closed; now, as on examining witnesses, the Commissioner ought not to put any questions until the prosecutor and accused have asked all they require, so in the trial of a case, until the Commissioner has seen all the evidence the accused will produce on his defence, he cannot tell whether the evidence that during the prosecution seems necessary is required or not, and therefore the only time at which a Commissioner, without almost prejudging a case, can tell whether fresh evidence is necessary or not, must be after the evidence has been heard on both sides; and therefore the provision should be, that the Commissioners, before the close of the case, may themselves call for fresh evidence, and not merely before the close of the case for the prosecution. The propriety of having some such provision appears the more manifest from Government having, in section 22, authority to order the Commissioner to take fresh evidence, and the probability is that the Commissioners, if the able men they ought to be, would be the very people to suggest to Government the necessity of requiring thus further evidence, which they, however, of their own free-will were unable to call for.

30. Having kept my proceedings in each case separate, I have added an index, showing on what days the commission sat, and what cases were carried on on those days. The references to pages and lines in my findings on the several cases, refer to the pages of my proceedings, which are numbered continuously, from the first to the last. I have also added indexes to each case, showing the nature of the exhibits in each, and another showing the page on which each witness's deposition will be found.

31. As all the letters to and from Government which were produced on either side as exhibits will be found on the records of your office, I have returned those filed to the Resident, with one exception, and enclose his receipt, having also noted on the list of exhibits that the document has been returned. All the proceedings and exhibits are forwarded in four separate packets, three containing my proceedings, the exhibits in the English language, and translations, and the fourth all the Marattee and Goozerattee documents.

32. The Right honourable the Governor in Council will perceive that circumstances, over which I had no control, prevented my closing my proceedings until the 11th instant, but this being only the 21st, no avoidable delay has been allowed in preparing and transmitting the cases.

33. The whole of the above was written, and this letter had been fairly copied, when I this morning received a letter from Nursoopunt Luxmon, enclosing, in conformity with your instructions, that any representations he had to make to Government should come through me, accompanying petition to the Right honourable the Governor in Council, upon which perhaps only the following remarks are requisite.

34. The first 13 paras. of the memorandum which accompanies the petition are intended to show how the cases were got up against him, and that he had not the means of exposing the frauds perpetrated, except by the mistakes the witnesses for the prosecution made. The 14th para. shows how unequally the Act, under which he was tried, bears on the accused, and how he suffered by the working of the Act; this para. is divided into clauses; in the first of which, he takes exception to the proceedings being in English, which I have myself noticed above in the 26th para.

35. In the second he mentions, that the Commissioner, thinking his chief duty is to see what will support the prosecution, the accused is left to depend upon his own exertions, which, when the prosecutor is the Resident, cannot avail him.

36. This cannot be exactly what Nursoopunt means; for having thanked Government, in the 3d para of his petition, for granting him a trial before a "strictly impartial and independent judge," he could hardly contradict himself here, by showing that the judge thought more of the prosecutor than the defence. It perhaps might be meant to allude, not to the Commissioner individually, but to the provision in the Act, which I have noticed above, in the 29th para., as restricting the Commissioner to calling for evidence only before the case for the prosecution is closed; and probably from having observed that I never called for evidence for the defence, he might imagine that less was thought of that than of the prosecution. I do not think the trials show any such bearing, and I always pointed out to Nursoopunt when I saw any evidence likely to support his defence.

37. The accusation mentioned in the 5th clause occurred in Colonel Outram's reply to one of the cases, in which he mentioned that Nursoopunt had vaunted of my brother, Mr. H. B. E. Frere, being his friend, and other boasts that he had made regarding myself. The remarks not being recorded, of course never influenced me, and I may safely say, they were unnecessary on Colonel Outram's part, and innocuous to the accused. I should not, however, have judged Nursoopunt's state to have been so dejected, as is mentioned in the former part of this clause, from the state in which he came to the court, which was in a palanquin, preceded by one hurkara, and accompanied by two peons, hardly, I should think, compatible with the state of a man reluctant to appear in public.

38. Except the difficulties I have noticed above in the 26th para., arising from the depositions of witnesses being taken down in English, I do not know to what Nursoopunt refers in the 6th clause, nor how Nursoopunt has been prejudiced

prejudiced by what he mentions in the 7th clause, more than every man must be by bad or reluctant witnesses.

39. The next two clauses require no remark, except that Nursoopunt does not discriminate between the evidence for the prosecution, and the evidence to rebut the defence of the former; it is very right and proper that the accused should be allowed notice of the evidence to be brought against him, but he is not entitled to notice of the latter, as it was his act that called forth this fresh evidence.

40. The 15th and following paras. are devoted to remarks on the several cases, or unsupported assertions regarding them; but as these assertions are not proof, and all the remarks have, I think, been anticipated in my "finding" in the cases, no further notice of them seems required.

41. Having now brought to a conclusion one of the most disagreeable and invidious duties that ever befell me, it affords me great pleasure to request you will bring to the notice of the Right honourable the Governor in Council, the very great assistance I have received from Lieutenant J. T. Jameson, of the 28th N. I., who Government appointed my assistant. The translations, most of which he made, and all of which he revised, will satisfy his Lordship in Council of Mr. Jameson's ability; and therefore all that it remains for me to do, is to bear my testimony to the unwearied diligence and assiduity with which he performed his work, and the promptitude and cheerfulness with which he assisted me on every occasion.

I have, &c.
(signed) *W. E. Frere*,
Special Commissioner.

Baroda, 22 October 1851.

MEMORANDUM.

THE proceedings held by Mr. Frere in the seven charges preferred by Lieutenant-colonel Outram, c. B., against Nursoo Luxmon, forms seven separate collections, marked (A.) to (G.)

— No. 2. —

MINUTE by the Right Honourable the Governor.

No. 504 Y Y 1.

I CIRCULATE with these proceedings the record of the Commissioner, Mr. Frere, upon the first charge preferred by Colonel Outram against Nursoo Punt, for malpractices in the case of Joetabhac Setanee.

2. This charge has been divided by the prosecutor into four instances of misbehaviour, in his official relations with the Acting Resident, Captain French.

3. It was therefore desirable that we should have the evidence taken upon it before us, previous to determining upon the points of reference which I have proposed should be made to that officer.

4. It must be remembered that Captain French is detained in the country, purely to reply to our proposed reference. In justice to him, there should be no delay in transmitting these queries.

5. Of the proceedings as affecting Nursoo Punt I need not here enlarge. Concurring generally in the finding of the Commissioner, I have only to comment on a single instance, upon his treatment of the several charges of which Nursoo Punt has been virtually acquitted.

6. The four counts, it will be observed, concern Nursoo Punt in connexion with Captain French alone (*see* list of charges preferred and signed by the prosecutor, which accompanies). They are the instances cited of a general charge, and they therefore necessarily confine that general charge also to Nursoo Punt's conduct in connexion with Captain French.

7. On three of these Nursoo Punt has been acquitted—the first, third, and fourth.

8. On the second we find it recorded :

9. "The Commissioner is therefore of opinion, that so much of the charge as goes to accuse Nursoo Punt of having attempted to deceive Colonel Outram is proved against him, though there is no proof of his having misled Captain French, either directly or indirectly." But, as I have shown, there is no part of the charge which accuses him of having misled Colonel Outram.

10. He also concludes his finding on this charge with these words : "The Commissioner, therefore, is of opinion on the whole of this case, that, except so far as he misled Colonel Outram by leading him to believe that the notoriety of the case was the reason why Sir R. Arbuthnot would not attend the naming of Joetabhaee's child, Captain French has relieved Nursoo Punt of all responsibility, and that there is no other proof of his having been guilty of false or unfaithful conduct in the Joetabhaee case."

11. There is therefore an evident error in the above remarks, which convict Nursoo Punt of what is not included in the accusation preferred against him.

12. I trust that my colleagues will not object to the course I have proposed, and will reserve any comments on the conduct of Nursoo Punt in this case (which they may think that they cannot properly put on record at this state of inquiry into the recent trials) until a future occasion.

10 November 1851.

(signed) *Falkland.*

— No. 3. —

No. 504 Y Y 2.

MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell*.

THE course proposed I understand to be a call for further explanation from Captain French on the points indicated in an accompanying paper. Being deemed by the Right honourable President to be requisite, this explanation should, of course, be obtained.

On the Commissioner's proceedings, relative to the charges against Nursoo Punt, as well as in the case of Joetabhaee Setanee, I shall reserve the remarks I have to offer until the papers are again circulated.

12 November 1851.

(signed) *D. A. Blane.*
A. Bell.

— No. 4. —

No. 504 Z Z.

FURTHER MINUTE by the Right Honourable the Governor.

I HAVE now to remark on the seven charges preferred by Colonel Outram against Nursoo Punt, before the Commissioner, Mr. Frere, deputed to try that individual at Baroda.

2. The proceedings exhibit throughout proofs of that careful consideration of the evidence and analytical appreciation of its value, for which Mr. Frere is distinguished.

3. I propose to consider each of the charges *seriatim*, and to offer on each a few brief observations.

I.

4. The first charge has been already alluded to by me in a separate minute. It is divided into four counts, which are included in the general charge, that in the case of Joetabhaee Setanee, Nursoo Punt conveyed, or caused to be conveyed, erroneous information to his official superior, and withheld from him information which it was his duty to communicate, and otherwise behaved falsely and unfaithfully.

5. The

5. The Commissioner has recorded an opinion on the whole of this charge or charges: "That except so far as he misled Colonel Outram, by leading him to believe that the notoriety of the case was the reason why Sir R. Arbuthnot would not attend the naming of Joetabhaee's child, Captain French has relieved Nursoo Punt of all responsibility, and that there is no further proof of his having been guilty of false or unfaithful conduct in the Joetabhaee case."

6. I observed on this, that the exception above noticed does not form a part of either of the four instances of the charge, all of which relate to Captain French.

7. Nor do the proceedings show that the charge has been corrected to include this allegation, which might have been done under Section 20, Act XXXVII. of 1850.

8. At page 32 of the proceedings, line 11 to 25, we find it shown that two diaries are recorded by Colonel Outram, to prove that it was Nursoo Punt who misled Colonel Outram as to Sir R. Arbuthnot's not attending the naming of the child. But this is nowhere made a charge against Nursoo Punt, who simply admits that the memorandum-book was his, and no further notice is taken of the matter in the proceedings.

9. But Sect. 20 of the Act empowers the Commissioners, when they think the charges have not been drawn with sufficient precision, to require them to be amended. And as no such proceeding is shown to have taken place in the present case, it cannot be admitted that deceiving Colonel Outram, the prosecutor, forms any part of the charges on which Nursoo Punt was tried. His acquittal in this case, according to the proceedings, ought therefore, in my opinion, to be held to be complete; but as this is an inquiry and not a trial, we can ask Mr. Frere what has led him to a different conclusion.

10. The second indictment charges Nursoo Punt with having allowed a false claim of three lacs of rupees and upwards, set up by Baba Nafra, to be prosecuted, without expressing to the Resident the slightest doubt of the justice of the claim, though he knew it to be unjust.

II.

11. This accusation mainly rests on the so-called written abridgment made by Nursoo Punt of the circumstances. The established facts which tell principally against him are—

1. That in this written abridgment he omitted to notice to the Resident that Baba Nafra could only claim from his debtor, Govindrao Gaekwar, for Hurree Bhugtee, an amount, as interest, equal to the amount of the principal borrowed, or what is termed damdooput. Nursoo Punt's written abridgment is dated 21st August 1848, and he was twice examined on this subject by Colonel Outram, on the 26th and 31st of August of the same year. In the abridgment, he states of the claim to interest, that "the distinct orders of Government are required to settle the point." In the latter of the two examinations, however, he distinctly explains, "that under any circumstances, according to the custom of the British Government, the Soucar could not receive more than double the amount of his principal."

2. He failed to point out fraudulent miscalculation of compound interest on the part of Hurree Bhugtee's firm, the bonds going to establish that compound interest, at 9 per cent., was chargeable on the whole amount, while on examination it turned out that on a part of the debt interest at that rate had been charged, and on another part at 12 per cent., raising the interest claimed on a debt of 32,002 rupees from 2,21,619 rupees to Rs. 3,03,130. 9. 9., being a difference of Rs. 81,511. 9. 9.

12. On the general charge, Mr. Frere records as his judgment in this case, that "Nursoo Punt's omitting to notice that the claim for interest was laid at a rate never agreed upon, and founded on a bond which could not but awaken suspicion, betokens culpable negligence and connivance; for Nursoo Punt's assertion, that when questioned a week afterwards on the subject, he stated that damdooput, which Government have since granted, was all the firm can claim, came,* the Commissioner is of opinion, too late to save him, when his report, which ought to have exonerated him, had been condemned, and he had been compelled to produce papers (Colonel Outram saying that he would hold Nursoo

* S. O.

Punt responsible for such papers, if discovered,) which showed that the claim to interest then urged was to some extent fraudulent, and consequently that he is guilty on the second charge."

13. It is certain that the omission of the accused to expose at once the gross inaccuracy of a charge of interest, amounting to Rs. 3,03,130. 9. 9., on a debt due upon three separate bonds of only 32,001 principal in all, was highly suspicious, and looks very much as if he calculated on the Resident's ignorance of the rule of damdooput, to obtain an unfair advantage for the party concerned.

14. It is equally unfavourable for him that, whether from carelessness or design, he omitted to notice the error in the rates of interest charged, of which the gross total was so enormous, and so obviously requiring the severest scrutiny.

15. Perhaps, however, Mr. Frere pushes the accused too hard with regard to the reason which he has given in the 6th para. of his defence, for advising a reference to Government. Examined, as was Nursoo Punt, after so long an interval of time, the reason he assigns may have been a mere afterthought. But if it were true, Mr. Frere very justly argues, that it would go to prove that Nursoo Punt, when he wrote the abridgment, was aware of, or had lately seen, one of the suppressed documents, which elucidated the amount of interest formerly claimed, and which, when pressed by Colonel Outram, he produced afterwards from his records.

16. I think, upon the whole, that the verdict of guilty on this charge must be upheld.

III.

17. The third charge preferred against Nursoo Punt by Colonel Outram, was for betrayal of the trust reposed in him in the case of Gorajee Pole, of which two instances are alleged; the first, of conniving at embezzlement, in not bringing to the notice of his superiors the cause of the rapid diminution of the revenues of the estate belonging to Gorajee Pole, &c. &c.; the second, of having allowed a certain lease to be abandoned, as Colonel Outram would show, to the manifest prejudice of Gorajee Pole.

18. On this charge he has been acquitted by the Commissioner, but his conduct is viewed, in some respect, in a very unfavourable light.

20. Mr. Frere considers, first, that as the patell's lease which Gorajee Pole made over to Juggeevun Khandass was still, as far as Gorajee Pole is concerned, valid, there had been no falling off or diminution of the Pole's revenues, for Nursoo Punt to bring to the notice of his superiors; secondly, that Juggeevun Khandass was at liberty if he chose, as far as his tenancy was concerned, without subjecting him to a charge of embezzlement, to release the patells from their engagements, provided he did not injure the village; thirdly, that his having done so, was known to Sir Robert Arbuthnot, and to Nursoo Punt, who did not inform Mr. Andrews of it as he should have done.

21. He was also negligent, Mr. Frere remarks, in not having obtained the paruk's account at an earlier period than he did; but he is not answerable for anything connected with them further than the delay.

22. In this finding, generally, I concur with reference to Nursoo Punt's letter to the Commissioner, dated the I have ascertained, on searching the secretariate records, that Sir R. Arbuthnot's guarantee appended to the agreement prepared by Mr. Andrews, is copied in the document transmitted to Government, as rightly conjectured by Nursoo Punt, exactly in the same words as in the exhibit filed in this case; but the point is of slight importance.

IV.

23. In his finding upon the proceedings in case No. IV., I concur generally with the Commissioner. Here Nursoo Punt was charged with having, on or about the 12th of May 1845, received from Baba Nafra, managing gomasta of the firm of Hurree Bhugtee, 20,000 rupees as a bribe, given apparently to secure his (Nursoo Punt's) service in behalf of the firm, supposed to be on account of the case then pending before Government, concerning the dispute between the above firm and the sons of the late Gungadhur Shastree. Mr. Frere has considered the evidence under the following consecutive heads:

1. The

1. The finding of the document.
2. Whose handwriting it is in.
3. The payment of the money.
4. How it is entered in the books.
5. The object of giving a bribe.

24. I will very briefly comment on the Commissioner's opinions on each of these points in their turn, before I refer to his verdict :

1. The finding of the document.

It is certainly unfortunate, if not suspicious, that it was not found under Colonel Outram's own eye, and in his presence, but by a man whose character is doubtful, who was also not an employé under the Resident, and at a time when Colonel Outram was in an adjoining room. On the other hand, the Kotwal Sumbooram, on what he believed to be his death-bed, has deposed, before Mr. Frere, to the memorandum having been found in his presence.

2. In whose handwriting.

I agree with the Commissioner, that it is a matter of slight moment to establish in whose handwriting the paper is, though he seems to lean to the opinion that it was really written by Bulwunt Rao Nafra.

3. The payment of the money.

25. There is no direct evidence to show by whom this money was appropriated ; but it appears clear from the corresponding entry in the accounts, that the money was paid to Assaram for some purpose unknown. This Assaram was an arbitrator in the dispute between Hurree Bhugtee and the Shastrees, and he was a friend of Nursoo Punt's. There is no evidence that it was given to the latter ; for all we know it might have been given to Assaram himself.

4. How entered in the books.

26. It is carried down as an outstanding balance, and the Commissioner is satisfied, notwithstanding the arguments to the contrary, that the balance is still outstanding. It is not, he thinks, the same entry of 20,000 to the name of Runchore Bolonath, found in the accounts of Purshotum Runchore for 1845-6 (in other words, Baba Nafra's private firm). The dispute is also, it must be remarked, as yet unsettled.

27. The Commissioner believes that the bribe, if given at all, was given in anticipation of good offices to be rendered in the case, as occasion served, by Nursoo Punt.

5. The object for which the bribe is said to have been given.

28. This I have said may have been done to secure Nursoo Punt's interest. It is remarked that there was a division on the 10th May among the arbitrators, regarding the examination of some witnesses, and that the Resident required information. This information was sent him on the 12th May, and it is singular that this is the very day on which the bribe is said to have been paid ; and on the 14th the Resident sent an answer, which is filed in the case.

29. Mr. Frere seems to think, that the report made by Nursoo Punt on the case is not apparently partial. It may be quite impartial, but the final decision of the case can alone enable one to judge if it be so. I do not perceive the full force of this argument.

30. The Commissioner in acquitting Nursoo Punt of this charge for want of proof, observes, that it does not, however, leave Nursoo Punt free from suspicion. There is no ground in which to found the idea that the case has been the result of conspiracy ; and Nursoo Punt's name appearing as it has done, coupled with his disingenuous defence, leave painful suspicions on the Commissioner's mind.

31. All things considered, I agree with the Commissioner, with the following reservation.

32. It is much to be regretted that the prosecutor did not adopt, as he might have done, effectual measures to rebut any suspicion that the memo. might have been fabricated, and surreptitiously introduced, by some enemy of the accused, who had access to the books of Hurree Bhugtee.

V. 33. The fifth charge against Nursoo Punt is, that he, on or about the 19th or 20th October 1848, received from Baba Nafra, as a bribe, the sum of 28,070 rupees, being in part payment of a sum of 78,070, to be paid by Baba Nafra for the exercise of his influence in Baba Nafra's favour, in the inquiry respecting the alleged abduction of the child of Joitabae Settanee.

34. The opinion recorded by the Commissioner in this case is, that "the giver of the alleged bribe, not being willing to tell any thing about it, and there being no proof of how the money was disposed of, there is not evidence to convict Nursoo Punt of receiving a bribe; but the discovery of the memorandum with his name on it, and the notes in his and his son's handwriting, with the invocation of his own deity upon them, coupled with the revolution which about that time took place at the residency regarding the case of Joitabae Settanee, leave the strongest suspicions in the Commissioner's mind, that the money was paid to Nursoo Punt, and that he had importuned Baba Nafra on two occasions for it."

35. This case presents the same features as the last, and the same objections occur to the finding of the two notes referred to, and the memo.; nevertheless, unless a diabolical and cunningly devised conspiracy be supposed to have taken place, it is difficult, on the evidence before Government, to avoid going further than Mr. Frere has done, and in our own minds, pronouncing Nursoo Punt guilty in this court.

36. The evidence relating to the discovery of the memorandum, and the two notes, is apparently strong evidence.

37. They are said to have been taken out of a silver lota, which was found by the committee (appointed to take an account of the effects of Hurree Bhugtee) on the 7th April 1851, in a box placed in a small inner room in the southern jamdar khana of the banking house.

38. The only fact which can raise a doubt in the minds of a reader of these proceedings, is, that the finder was Petamber, the new moneem goomashta, who Nursoo Punt avers is desirous of rising on his ruin, and Hurreea Khidmotgar, the hurreea of the 4th charge.

39. The writing in the notes bears at any rate, to judge by the evidence, a sufficient resemblance to Nursoo Punt's, to add greatly to the suspicion entertained against him.

40. The Commissioner has argued this case with much ability, and is the officer who, under all circumstances, would seem to be the best qualified to arrive at a sound decision.

VI. 41. The sixth charge preferred against Nursoo Punt was that of having, on or about July 1848, instigated Baba Nafra to depute an agent to Bombay for the purpose of bribing the Honourable Mr. Reid, the late member of Council.

42. Mr. Frere has acquitted Nursoo Punt of this charge, but recorded his opinion "that Baba Nafra did, about September 1847, send one Joteshwur to Bombay, with a view of corrupting certain parties," (who these were he does not say), "and that Nursoo Punt was aware of his sending him, and the object with which he was sent."

43. Upon a careful consideration of the evidence in this case, I am less satisfied with the arguments which have led the Commissioner to the opinion above expressed, than with his reasoning in any other of his findings on these charges.

44. The proceedings should be referred to throughout. They may probably lead my colleagues to the opinion I myself have come to, that there is nothing in the proceedings in this charge to implicate the character of the accused.

45. Nursoo Punt is charged, in the seventh count, with having, at various times between the 12th September 1848 and the 1st May 1850, made an improper and unauthorized use of the name of the Honourable Mr. Reid, late member of Council, and encouraged the belief at Baroda that he enjoyed the support and confidence of that gentleman.

46. Upon which the Commissioner arrives at the following conclusion:—
“That Nursoo Punt when angered by Jeyroa (Hybutrao), one of the witnesses, some time before the 20th November 1848, made an improper use of Mr. Reid’s name; that he made a similar use of it to Mr. Hycoop and Hurree Punt on or after the 8th January 1849; and that about the same time, with a view to the further promulgation of his boast, he had a copy of a letter he had received from Bombay, purporting to come under instructions from Mr. Reid, made by Muncherjee, an intimate friend of his rival Baba Fudkey; and that Nursoo Punt has not attempted to show that he was any way authorized to make any use of Mr. Reid’s name.”

47. All I can say upon this finding is, that I defer to the Commissioner’s reasoning; but I confess that the conversation of Mr. Hycoop with Hurree Punt bears, to my mind, a very apocryphal aspect. I place little reliance on depositions of the like nature from office enemies, nor do I think that an impassive native of Nursoo Punt’s ability is at all likely to commit himself as described in their statement; and above all to them.

48. It is more probable that if Jyrow Hybutrao put the question to Nursoo in his own house, as he has stated that he did, he might have sorely tried his, Nursoo Punt’s, patience, and forced upon him some expressions which might be distorted into the present charge.

But, granting this much, what degree of criminality is to be attributed to a boast, so qualified, that he had a friend in Mr. Reid?

49. Nursoo Punt has always borne the highest character from his masters in the Revenue Department until he entered on that scene of temptation, a native agent at a native court. If we, for example sake, suppose that he had stood the ordeal, and, while conscious of his honesty, found himself exposed to the intrigues of secret and powerful enemies, is it wonderful that on being asked a question, equivalent, under the circumstances, to a taunt, he should have expressed himself with warmth, as confident that he would find a powerful protector in one who well knew the value of his previous services to Government?

50. But Jyrow Hybutrow is, by the prosecutor’s own showing, a worthless and unprincipled character; and the evidence which he brings to prove the conversation, the time he takes to bring it, and the nature of it, compel me to regard this charge as very ill supported.

51. As to the letter, certainly more suspicion is attached to that affair than to the others. Mr. Frere has only convicted Nursoo Punt of not having attempted to show that he was in any way authorized to make use of Mr. Reid’s name; he has not convicted him of having made use of it unauthorizedly.

52. The letter is a singular production in more than one respect. The direction given in it, to send the answer to Mr. Reid’s house, though that gentleman is not known to have ever employed an amanuensis with a name like the writer’s, is suspicious.

53. But assuredly Nursoo Punt, if he did not believe it to have come from Mr. Reid, should have sent it to that gentleman for inquiry.

54. Then the information it conveyed, as to the guarantee, which proved to be true; lastly, the writing and the spelling of the name; both induce me to think that the note was written by a native who had had access to Mr. Reid’s papers. The name was at first supposed to mean Mr. Morris, of the Sudr, and this may possibly have been intended. But, though it has been remarked that the name is spelt differently, no one has as yet observed that the spelling has another singularity: the name of Maurice is never spelt with two r’s, as in this letter; at least, I think not.

55. I have deferred in this case to the Commissioner’s finding; but I think that if our late colleague, the Honourable Mr. Reid, were here to have inquired into

this matter, he might have been able to trace the writing, and to discover the party who had made so improper a use of his name.

56. On mature consideration of the whole of the above cases, I have come to the following conclusion: that, if we except the charge of having misled Colonel Outram himself, Nursoo Punt has, in case II., been convicted of having, in his abridgment of proceedings which he prepared for the Resident, omitted to specify a fact notorious to all who have any acquaintance with Hindoo law, viz., that the sum of interest which may be charged on a loan should not exceed the amount of the principal.

In case VI., of having been aware that Baba Nafra deputed one Joteshwar to Bombay, with the view of corrupting certain parties not specified by the Commissioner.

In case VII., that when "angered" by Jyram Hybutrow, he made an improper use of the name of the Honourable Mr. Reid, and with having made a similar use of it to Mr. Hycoop and Nursoo Punt, two of the residency carcoons; in which latter respect I am inclined to differ from the Commissioner.

This is all of what Nursoo Punt has been convicted by Mr. Frere out of the seven charges; but there are two charges of bribery, the fourth and the fifth, of which Nursoo Punt has been acquitted, and yet the gravest suspicions are left to rest upon his good name. If I were able to satisfy myself that the accused had only escaped conviction on these charges from a flaw in the evidence, I should have no hesitation in treating him, as respects the misconduct proved against him in minor particulars, with the utmost severity that could be justly used.

But strong as are the suspicions to which the proceedings in these two inquiries have fairly given rise, it is impossible for me to divest my mind of the belief that the discovery by the agents employed, and in the manner related, of the documents which connected him by name with certain vague and general entries in the books of the firm of Hurree Bukhtee, may possibly have been the result of a conspiracy to ruin an obnoxious public servant, and that it is impossible for us to pronounce positively that it was not.

Feeling thus, I have come to the conclusion that while we are fully warranted in dismissing a man in Nursoo Punt's position from the public service, it will be unjust to go further, and to deprive him of an Enam village conferred upon him for former distinguished services. I will not be a party to such an act; and I feel that, on the grounds which I have given above, I may rely on the concurrence of my colleagues in the course I have recommended.

6 December 1851.

(signed) *Falkland.*

— No. 5. —

No. 504 A A A.

FURTHER MINUTE by the Honourable Mr. *Blane*.

THE evidence on the charges Nos. I. and II., appears to me to establish a collusive understanding between Nursoo Punt and Baba Nafra, resulting in a betrayal of his official trust by the former; and with this impression upon my mind, though concurring in the remarks of the Right honourable the President on charge No. V., I have little doubt that pecuniary corruption was involved in the relationship between them. Captain French exonerates Nursoo Punt from having deceived him, and such is doubtless his belief; but that he was deceived by the person upon whom he relied for information in the native department of his office, appears to me to be borne out by the facts elicited in the inquiry.

2. On charge No. III., as well as on No. II., above noticed, I had previously recorded my opinion in my minutes dated Regarding the former, I still see no direct culpability attributable to Nursoo Punt; in respect to the latter, my impression of his guilt in having knowingly withheld documents, and otherwise misrepresented the merits of the case with a fraudulent intention, has been strengthened.

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3. With reference to charge No. IV. it appears to me quite possible that any sum of money given to "Assaram," may have been for himself, he being an arbitrator in the case under investigation, and the evidence in other respects also inconclusive, is consequently, in my opinion, quite insufficient to bring home the receipt of the alleged bribe to Nursoo Punt.

4. In respect to charge No. VI., I concur in thinking that Nursoo Punt's complicity in the despatch of "Joteshwur" to Bombay for the purpose alleged in the charge, is not established. And as regards the charge No. VII., placing little reliance in evidence to words spoken in conversation at so distant a period, the character of which might be so easily perverted by the bearing assigned to them; for instance, whether to protection against malicious intrigues, or to support in obtaining impunity for malpractices, I am not of opinion that misuse of Mr. Reid's name has been proved against him; at the same time there is a mystery connected with the "Maurrice" letter, regarding which, as I do not believe Nursoo Punt discloses all he knows on that point, I cannot divest myself of a suspicion of his having been engaged in some illicit communication with secret agents in Bombay.

5. Having arrived at the conclusion that Nursoo Punt must be held to be guilty to the above extent, he cannot, in my opinion, be permitted to retain his present situation, from which therefore I would remove him; and as pension is conditional on a certificate of incapacity for further service, supported by unblemished character, his claim to any provision in that shape will, I imagine, be forfeited. In the view taken by the Right honourable President, that we are not called upon to deprive him of the Inam village, conferred for distinguished services in the revenue line, previous to his entering upon the scene of his present misconduct, I fully concur.

8 December 1851.

(signed) *D. A. Blane.*

— No. 6. —

MINUTE by the Honourable Mr. *Bell.*

No. 504 B B B.

AFTER a most careful investigation of the mass of irrelevant matter which has been adduced in elucidation of the charges preferred by Lieutenant-colonel Outram against Nursoo Punt, I regret I am unable entirely to concur in the observations contained in the minutes of the Right honourable the President, and of my honourable colleague.

I coincide in the view recorded by the Right honourable the President on the first charge, excepting that I see no necessity for requiring explanation from the Commissioner, as proposed in the 11th para. of his minute, as it is only too evident, that had Nursoo Punt misled, or attempted to mislead Lieutenant-colonel Outram, he, Lieutenant-colonel Outram, would not have omitted to include it among the instances of the charge.

The second charge, betraying his trust by allowing a false charge against Govindrow Gaekwar to be prosecuted before the Resident, knowing it to be so, and withholding from the Resident documents which would have shown a part of the claim to be unjust, having in the Commissioner's opinion been proved against Nursoo Punt, requires that I should record my reasons at length for dissenting from his recorded view.

The betrayal of trust would appear to have consisted in being less explicit in his report than he should have been, on a claim brought by the firm of Hurree Bhugtee against Govindrow Gaekwar. There is nothing in the proceedings to show us the exact nature of the report required from the native agent, and the following remark which stands recorded in the Commissioner's finding on this charge, does, in my opinion, to a very great extent, if not entirely, exonerate Nursoo Punt from all blame in the transaction.

Mr. Frere writes, "Much that is obscure in this case would have been avoided, as has also been remarked in the first case, if it had been the custom of the office to give written orders to the native agent when calling for his report, as is or used to be done by collectors in the new provinces, when requiring reports from Dufterdars."

Had Nursoo Punt given his views unasked on the subject then under the consideration of the Resident, he might, I cannot but think, have laid himself open to a charge of unduly influencing the judgment of the Resident, to whom it belonged to adjudicate the matter in dispute; so, at least, I should have looked on such interference on his part. Indeed, he would hardly have needed to be told that, in case any advice offered by him had been followed, the general opinion would have ascribed the merit of the act to him, and not the Resident.

The second part of this charge is "withholding from the Resident documents which would have proved a part of the claim to be unjust," and it is on the suppression of these documents that Lieutenant-colonel Outram founded the charge that Nursoo Punt must have known the claim to be unjust.

The following is Nursoo Punt's explanation on this point: "On this the colonel said to me, Mr. Williams wrote a letter to Govindrow Gaekwar in 1843, in which he gave a detail of the debt, from which it is more than probable the Pareck's accounts must have been made up; search the records (Dufters), and see whether the accounts have been formerly sent in." I therefore caused the old Dufters "to be examined by Narrainrao, a residency karkoon, and others, but no papers were found. Afterwards, on searching the Dufters, subsequent to 1842, the 'yad' written by the banker, Hurree Bhugtee, to the late Mr. Boyd in 1842, was discovered."

Considering the state of confusion into which the Dufters appear to have fallen, and the evidently careless procedure which appears of late years to have crept into the mode of conducting proceedings at the residency, it is by no means surprising that the native agent should not at first have been able to place his hands on the missing documents.

There is nothing in the evidence which in my opinion can justify the conclusion arrived at by the Commissioner, that these missing papers must have been produced by the native agent himself.

The third charge is a similar betrayal of trust; but as Nursoo Punt has been acquitted on this charge, no comment is required from me.

The fourth and fifth charges are, having received bribes of 20,000 rupees and 28,070 rupees respectively, but in both of these instances the charge is not established, though the Commissioner remarks, "much suspicion attaches itself to Nursoo Punt."

The document on which these charges depend, and the circumstances of its discovery, are so full of suspicion, that I would discard it at once as unworthy of credit, and the charges also.

That much "Durbar Kurch" may have been expended is probable enough, but the evidence adduced is insufficient to bring home the receipt of the alleged bribes to Nursoo Punt.

The sixth charge is having instigated Baba Nafra to depute an agent to Bombay to bribe the Honourable Mr. Reid. On this charge a qualified finding is recorded, namely, that Baba Nafra deputed a person to Bombay, who spent large sums of money ostensibly for purposes of corruption, and that Nursoo Punt was aware of the person being so deputed, and connived at it; but it is not proved that he, Nursoo Punt, instigated Baba Nafra to depute the man, or that he was deputed with the specific object of bribing Mr. Reid.

I entirely concur in opinion with the Right honourable the President, and the Honourable Mr. Blane, on the proceedings recorded on this charge, namely, that there is nothing to implicate the character of the accused.

On the seventh and concluding charge, Nursoo Punt is accused of having at various times between the 12th of September 1848, and the 1st of May 1850, made improper and unauthorized use of the name of the Honourable Mr. Reid, late member of Council, and encouraged the belief at Baroda that he enjoyed the support and confidence of that gentleman.

The conviction which has been recorded against Nursoo Punt in this charge is so fully set forth in the 46th para. of our President's minute, that it is unnecessary for me to recapitulate it here.

This charge is so loosely defined, embracing as it does a period of 20 months, as to leave it extremely difficult for the accused to rebut the accusations preferred against him.

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Another difficulty with which Nursoo Punt has had to contend, is the entire omission in the charge of the specific words made use of, for as Mr. Blane most justly remarks in the fourth para. of his minute, "Little reliance can be placed in evidence to words spoken in conversation at so distant a period, the character of which might be so easily perverted by the bearing assigned to them, for instance, whether the protection against malicious intrigues, or to support in obtaining impunity for malpractices."

On the finding, then, on this charge, I am disposed to concur entirely with my honourable colleague, Mr. Blane. There is unquestionably a mystery connected with the note bearing the signature of "Maurrice," and the explanation afforded by Nursoo Punt on this point is certainly less satisfactory than the rest of his replies, as shown in these proceedings, and which to my mind are nearly conclusive of his innocence.

I have only one further observation to offer on these charges, which have occupied so much of the time and attention of Government.

In following Mr. Frere in his reasoning regarding Nursoo Punt's guilt, I am unable to divest myself of the impression that he has arrived at his conclusion, not so much on the evidence adduced in support of the prosecution, as that Nursoo Punt has failed, on his own showing, to exonerate himself from the imputations advanced, thus throwing the *onus probandi* on the accused instead of leaving it to the accused to substantiate the allegations he has brought forward, a proceeding totally at variance with the principle commonly adopted in criminal cases.

After the very strong terms of invective and accusation used against Nursoo Punt by Lieutenant-colonel Outram, in his Kutput letter, I cannot but consider the result of this investigation a great failure.

All that appears to me to have been established against Nursoo Punt amounts to grave suspicion, and against this he might well plead a course of 30 years' uninterrupted meritorious service.

The Right honourable President has observed (para. 49, in his minute), that Nursoo Punt has always borne the highest character from his masters in the Revenue Department, and it is in a case like the present that the value of previous character becomes most important to a public servant, and I would entertain a hope that consideration for Nursoo Punt's acknowledged good service, and the circumstance that, had he been allowed, he would have retired from office, and from temptation, two years ago, may save him from the disgrace of dismissal, and that he may be allowed to retain not only his Enam village, but his pension also. Removal from office, in my opinion, sufficiently marks the sense Government entertains of the position in which he has suffered himself to be placed, and the ignominy will be less acute.

The defects in the Act alluded to by Mr. Frere do not appear to be of sufficient importance to require any alteration of the law. Punishment for contempts is sufficiently provided for in Section 8, and the language in which the proceedings are to be conducted should, of course, be left to the option of the accused. In the present instance, Nursoo Punt does not seem to have objected to the use of English at the proper time.

With regard to the calling for fresh evidence before the close of the case, I am of opinion that a limit must be fixed, and that that limit should exclude the admission of evidence after the close of the prosecution. In this I entirely differ with Mr. Frere.

In conclusion, I venture to recommend that the attention of the Resident, Lieutenant-colonel Outram, should be directed to the present disgracefully confused state of the Baroda dufter, in view to putting it on an entirely new footing, and that the practice which at present prevails of issuing verbal orders in the preparation of important reports, as suggested by the Commissioner, should be discontinued; for had greater attention been paid to these matters it is probable that much of this tedious inquiry might have been avoided, and no charges but such as were clearly tangible and susceptible of proof brought forward against the character of an old and meritorious servant.

12 December 1851.

(signed) A. Bell.

— No. 7.

FURTHER MINUTE by the Right Honourable the Governor.

No. 504 C C C.

I BEG my colleague, the Honourable Mr. Blane, will be good enough to consider the remarks of Mr. Bell, and to favour me with any observations that may occur to him thereon, before I record my final opinion on this case.

16 December 1851.

(signed) *Falkland.*

— No. 8. —

FURTHER MINUTE by the Honourable Mr. *Blane*.

No. 504 D D D.

AFTER the full consideration of the Honourable Mr. Bell's remarks, I feel unable to take a more lenient view of Nursoo Punt's conduct than that recorded in my minute of the 8th instant.

2. With respect to Mr. Bell's remark in para. 2, relative to the conviction of Nursoo Punt by the Commissioner, of having deceived Colonel Outram, it appears to me that in an inquiry of this nature, the exoneration, one of the other, by any of the parties concerned, is in no respect sufficient to set aside any conclusions which may be held to be borne out by the evidence recorded during the investigation, and, in my opinion, therefore, it is desirable that the Commissioner's explanation of his finding in this point be called for, as contemplated in the R. H. P. minute.

16 December 1851.

(signed) *D. A. Blane.*

— No. 9. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane*.

No. 504 D D D 1.

MY honourable colleagues and myself are unanimously of opinion that a certain degree of culpability attaches itself to Nursoo Punt, and that we are fully warranted, in consequence, in removing him from the public service.

Supposing this course followed, Mr. Blane has explained that all claim to pension, on the part of this native officer, must be forfeited.

There seems to me to be so slight a difference between removal and dismissal from office, that it is scarcely material which term is used, though I shall have no objection to the employment of the more lenient one.

I think the reference to Mr. Frere, proposed in the 9th para. of my minute of the 6th instant, should be made.

18 December 1851.

(signed) *Falkland.*
D. A. Blane.

— No. 10. —

MINUTE by the Honourable Mr. *Bell*.

No. 504 E E E

As the Right honourable President and my honourable colleague are still of opinion that a reference should be made to the Commissioner, I readily withdraw my objection. I cannot, however, but remark, that whichever officer may be indicated in the verdict, the utmost criminality recorded against Nursoo Punt is, that he "appears to have attempted to deceive" one or the other.

As to the question of dismissal or removal, the distinction is most material, as the former would unquestionably deprive Nursoo Punt of his pension ; while the latter would, in my opinion, leave it to the discretion of Government whether to discontinue the pension or not ; and my impression is, that there must be many instances on record of public servants convicted of as much culpability as, in the opinion of the majority of the Board, attaches to Nursoo Punt, who have been allowed to retire without loss of pension.

19 December 1851.

(signed) *A. Bell.*

— No. 11. —

MINUTE by the Right Honourable the Governor, concurred in by the Board. No. 504 F F F.

THE necessary orders should now be issued.

19 December 1851.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

— No. 12. —

No. 5,391 of 1851.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *W. E. Frere*, Esq., late Commissioner, Baroda. No. 504 G G G.

Sir,

WITH reference to the opinion recorded by you on the first charge against Nursoo Luxmon, in the last para. of your proceedings on that charge, transmitted with your letter of the 22d October last, I am directed by the Right honourable the Governor in Council to observe, that you state “that except so far as he misled Colonel Outram, by leading him to believe that the notoriety of the case was the reason why Sir R. Arbuthnot would not attend the naming of Joetabae’s child, Captain French has relieved Nursoo Punt of all responsibility,” &c.

2. The Right honourable the Governor in Council has observed, that the exception which I have underlined in the quotation formed no part of either of the four instances of the charge, nor does it appear on the proceedings that the charge was corrected to include this allegation, as provided for by Section 20, Act XXXVII. of 1850.

3. It appears, therefore, to the Right honourable the Governor in Council, that if Nursoo Punt had been undergoing a regular trial he would necessarily have been acquitted of the charge recorded against him. Nursoo Punt, however, was not on his trial, though his conduct was under inquiry ; but still it will, I am to state, be satisfactory to Government to be informed of the reasons which induced you to depart from the course contemplated by the Act, and to record an opinion of Nursoo Punt’s conduct in a matter not made the subject of a charge against him.

Bombay Castle,
20 December 1851.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

— No. 13. —

From *W. E. Frere*, Esq., late Commissioner, Baroda, Surat, to *A. Malet*, Esq., Chief Secretary to Government, Bombay. No. 504 H H H.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 5,391, dated the 20th instant, calling upon me to explain how, in my finding on the second instance of the first charge against Nursoo Punt, I came to depart from the course contemplated in Act XXXVII. of 1850, and record an opinion of Nursoo Punt’s conduct, in a matter not made the subject of a charge against him. Political Department.

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2. In reply, I have the honour to state, for the information of the Right honourable the Governor in Council, that the 33d para. of my finding on the first charge, shows how conveying erroneous information to Colonel Outram did, in my opinion, form part of the charge against Nursoo Punt; and the 40th and following paras., to the end of my finding on the second instance of the first charge, touch upon the same point, and it does not occur to me that I can add anything further in elucidation of my reasons.

3. These reasons will, I trust, prove satisfactory to his Lordship in Council, for it will be a source of unfeigned regret to me, that I should have recorded an opinion prejudicial to Nursoo Punt (or to any person on trial before me), when the subject was not justly matter for my investigation.

I have, &c.
(signed) *W. E. Frere,*
Late Comm^r, Baroda.

Surat, 27 December 1851.

— No. 14. —

No. 504 I I I. MINUTE by the Right honourable the Governor, concurred in by his Excellency the Commander-in-Chief.

ON reperusing section 20 of Act XXXVII of 1850, I am still of opinion, that as I stated in para. 9 of my minute in this case, recorded under date of the 6th ultimo, that the first charge had better have been amended, or Nursoo Punt altogether acquitted on that charge.

The proceedings may now be considered closed, and I would thank Mr. Frere, on the part of Government, for the zeal, patience, and ability with which he has conducted this long and intricate investigation.

5 January 1852.

(signed) *Falkland,*
J. Grey.

— No. 15. —

No. 504 J J J.

MINUTE by the Honourable Mr. *Blane*.

I CONCUR in the proceedings being considered to be closed, and in the satisfaction of Government being conveyed to Mr. Frere.

6 January 1852.

(signed) *D. A. Blane,*

— No. 16. —

No. 504 K K K.

MINUTE by the Honourable Mr. *Bell*.

I CONCUR in considering the proceedings closed.

6 January 1851.

(signed) *A. Bell,*

— No. 17. —

No. 504 L L L.

FURTHER MINUTE by the Right honourable the Governor.

I PERCEIVE that in my minute of the 18th of December, I have omitted to notice the difference of opinion between my colleagues and myself, in relation to the seventh charge brought against Nursoo Punt, as regards which, I intended in that minute to have expressed my accordance, after a careful reconsideration of the evidence, in the views of the Honourable Messrs. Blane and Bell.

13 January 1852.

(signed) *Falkland.*

— No. 18. —

No. 291 of 1852.—Political Department.

No. 504 M M M.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to the
Resident at Baroda.

Sir,

1. IN my letter, dated the 16th May last, No. 167, your predecessor, Lieutenant-colonel Outram, was informed that the Right honourable the Governor in Council had appointed Mr. W. E. Frere a Commissioner, under the provision of Act XXXVII. of 1850, for the purpose of investigating certain charges of corruption and misconduct, which the former officer had preferred against Nursoo Luxmon, late native agent at Baroda. Lieutenant-colonel Outram having, in a letter dated the following day, intimated his readiness to undertake the prosecution of Nursoo Punt on these charges, he was in my letter of the same date, No. 170, appointed prosecutor in this case, under section 4 of the above Act.

2. Mr. Frere having, in conformity with the instructions of Government proceeded to Baroda, for the purpose of holding this investigation, opened his proceedings on the 16th June last, in the presence of Nursoo Luxmon, when the following charges, seven in number, were exhibited against him by Lieutenant-colonel Outram.

CHARGE I. That in the case of Joitabae Setanee, a suitor for redress at the hands of the British authorities, Nursoo Punt conveyed, or caused to be conveyed, erroneous information to his official superior, and withheld from him information which it was his duty to communicate, and otherwise behaved falsely and unfaithfully, in the following (4) instances :

1st Instance. Inasmuch as between the 2d and 15th November 1843, he communicated to Captain French an erroneous account of certain petitions from Joitabhaee Setanee and her mother Larbhaee, then lying untranslated in the residency office, thereby misleading Captain French, to the prejudice of Joitabhaee Setanee.

2d Instance. Inasmuch as he informed Captain French, or led him to believe, or encouraged him to believe, or did not disabuse him of the belief, that the popular voice of Baroda pronounced the husband of Joitabae Setanee to have been impotent for such a length of time previous to his decease, as proved the alleged pregnancy and delivery of Joitabhaee Setanee to have been fictitious; and that the fictitious nature of the alleged events was so notorious at or soon after the date of their occurrence, that Sir Robert Arbuthnot, Bart., then Resident at Baroda, refused to countenance, with his presence, the ceremony of naming Joitabhaee's child.

3d Instance. Inasmuch as he withheld from Captain French, or failed to communicate to him, the real nature and features of the Joitabhaee Setanee case, he himself being well acquainted with them; and further, inasmuch as he withheld from Captain French the fact, that, at the date of the arrival of that officer at Baroda, only a representation to the Durbar was required to secure the transmission, for submittal to the Resident's review, of the proceedings of the Punchayet that had been assembled at my instance, to investigate the complaints preferred by Joitabhaee Setanee against Baba Nafra, the moonim gomashita of her late husband's bank.

4th Instance. Inasmuch as, when directed by Captain French to draw up a summary of a petition addressed by Joitabhaee Setanee to the Right Honourable the Governor in Council of Bombay, and dated 7th of May 1849, and its enclosures (copies of petitions), he prepared, or caused to be prepared, and gave, or caused to be given to Lieutenant M. Battye, Assistant Resident, for translation, a document containing an incorrect version of the aforesaid petition, and an inaccurate description of its enclosures, knowing that the said incorrect version and inaccurate description were to be transmitted to the Right Honourable the Governor in Council of Bombay.

CHARGE II. That in the case of Govind Rao Gaekwar, he (Nursoo Punt) allowed a false claim to the extent of nearly (3) three lacs of rupees, set up by Baba Nafra, to be prosecuted in the office of Lieutenant-colonel Outram, Resident at Baroda, without expressing to that officer the slightest doubt of the justice of the said claim, though he knew it to be unjust, and that he culpably withheld from Lieutenant-colonel Outram's notice documents in his custody :

1st. A memorandum of account submitted by the firm of Hurree Bhugtee, dated 10th Falgoon Sood, Sumvut 1898 (February 1842).

2d. A yad presented by the same firm, dated 7th Ashoo Sood, Sumvut 1901 (11 January 1845), which prove the unjust nature of the claim, thereby betraying his trust as head of the native establishment of the Baroda residency.

CHARGE III. That he (Nursoo Punt) was guilty of a similar betrayal of his trust, in the case of Gorajee Pol, in the following instances :

1st Instance. Inasmuch as he had connived at embezzlement, by not bringing to the notice of his superiors the cause of the rapid diminution of the revenues of the estate belonging to Gorajee Pol, which had been confided by the Resident to the management of another party ; the said rapid diminution being the result of, and clearly indicating embezzlement, on the part of the individual to whose management the estate had been confided.

2d Instance. Inasmuch as he allowed a certain lease, dated 14th September 1844, by which the Patells bound themselves to make good the revenues of three villages to the amount of rupees (5,701), five thousand seven hundred and one per annum for seven years, giving " nisha " (banker's security) for the same, to be abandoned or cancelled, without bringing the circumstances to the notice of the Resident, though well aware that by maintaining the leases on the original terms the revenues of Gorajee Pol would have been preserved intact.

CHARGE IV. That he (Nursoo Punt), on or about the 12th May 1845, received from Baba Nafra, managing gomashta of the firm of Hurree Bhugtee, the sum of rupees (20,000), twenty thousand, as a bribe, given apparently with a view to secure his (Nursoo Punt's) services in behalf of the firm, supposed to be on account of the case then pending before Government concerning the dispute between the above firm and the son of the late Gungadhur Shastree.

CHARGE V. That he (Nursoo Punt), on or about the 19th or 20th of October 1848, received from Baba Nafra, as a bribe, the sum of rupees (28,070), twenty-eight thousand and seventy, being in part payment of a sum of rupees (78,070), seventy-eight thousand and seventy, to be paid (to Nursoo Punt) by Baba Nafra for the exercise of his influence in Baba Nafra's favour in the inquiry respecting the alleged abduction of the child of Joitabae Setanee.

CHARGE VI. That, on or about the month of July 1848, he (Nursoo Punt) instigated Baba Nafra to depute an agent to Bombay for the purpose of bribing the Honourable Mr. Reid, late member of Council (Bombay).

CHARGE VII. That at various times, between the 12th of September 1848 and 1st of May 1850, he (Nursoo Punt) made an improper and unauthorized use of the name of the Honourable Mr. Reid, late member of Council, and encouraged the belief at Baroda that he enjoyed the support and confidence of that gentleman.

3. Each of the above charges having, after the opening of the commission, been read over to Nursoo Punt by Mr. Frere, that individual pleaded " not guilty " to the whole of them.

4. After a most patient and lengthened investigation of these charges, extending over a period of upwards of four months, Mr. Frere closed his proceedings on the 20th October last.

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5. On a most careful consideration of which, the Right honourable the Governor in Council desires me to convey to you the decision of Government in regard to each charge.

1. Nursoo Punt is acquitted on all the counts of charge No. I., as worded by the prosecutor; though, from the finding of the commissioner, it would appear, that had the charge been made to include the misleading of Colonel Outram himself, his (Nursoo Punt's) entire exoneration on this head might not have resulted.

2. That Nursoo Punt is guilty of charge II.

3. That Nursoo Punt is acquitted of charge III.; but that his conduct, with reference to circumstances connected with this charge, is open to animadversion.

4. That the evidence is insufficient to convict Nursoo Punt upon charges IV. and V., but that considerable suspicion attaches to him upon both these charges.

5. That there is nothing in the proceedings to implicate the character of Nursoo Punt with reference to charge VI.

6. That the alleged misuse, by Nursoo Punt, of Mr. Reid's name, embraced in charge VII., has not been established.

6. Nursoo Punt having, by his conviction to this extent, been pronounced guilty of a betrayal of his official trust in the instance therein specified, as the head native servant of the Baroda Residency, the Right honourable the Governor in Council cannot allow that individual any longer to retain his present employment, and orders have accordingly been issued for his removal from his situation of dufferdar to the collector of Ahmedabad. Nursoo Punt will be considered ineligible for re-employment under Government.

7. From facts elicited during the sitting of this commission, the Right honourable the Governor in Council has perceived with regret, that the dufters of the Baroda Residency have been permitted to fall into the greatest confusion: your early attention is requested to this subject, in order that the records of your department may be properly arranged and classified. With reference to this subject, I am directed to call your attention to my letter dated the 4th June, No. 2,451 of 1849.

8. I am also desired to inform you, that the practice which has hitherto prevailed at the Baroda Residency of verbal, instead of written orders being in some instances issued by the Resident to his subordinates, connected with the preparation of the Reports on important subjects, being highly objectionable, should no longer be followed; you are accordingly requested to be careful, that all orders for reports on any matters of importance be hereafter in writing, and that these be endorsed on back of the document itself, and not on a separate paper.

I have, &c.

(signed) *A. Malet,*
Chief Secretary.

Bombay Castle, 20 January 1852.

— No. 19. —

No. 292 of 1852.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *W. E. Frere*, Esq., No. 504 N N N.
late Special Commissioner at Baroda, Surat.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 22d October last, submitting your proceedings as special commissioner, under Act XXXVII. of 1850, in the investigation of certain charges preferred by Lieutenant-colonel Outram, late Resident at Baroda, against Nursoo Luxmon, late native agent at that Court;

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and

and I am desired to communicate to you the thanks of Government for the zeal, patience, and ability with which you have conducted this laborious and intricate investigation.

2. I am also instructed to inform you that the Right honourable the Governor in Council has derived much satisfaction from the testimony borne by you in the concluding para. of your letter, to the unwearied diligence and assiduity evinced by Lieutenant Jameson, of the 28th Regiment Native Infantry, during the period he officiated as your assistant, and to request that you will communicate the approbation of Government to that gentleman.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 20 January 1852.

— No. 20. —

No. 293 of 1852.—Political Department.

No. 504 O O O.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to
E. L. Jenkins, Esq., Acting Collector and Magistrate, Ahmedabad.

Sir,

WITH reference to my letter in the Secret Department, dated the 16th May last, No. 166, I am directed, by the Right honourable the Governor in Council, to transmit to you an extract (paras. 1 and 6), from my letter of this date to the Resident at Baroda, containing the decision of Government on each of the charges (seven in number), preferred by Lieutenant-colonel Outram, c. B., late Resident at Baroda, against your dufterdar, Nursoo Luxmon, and to request that you will communicate this decision to that individual.

2. The requisite orders for giving effect to the decision of Government, contained in the 6th para. of the above extract, will be communicated to you through the Revenue Department.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 20 January 1852.

— No. 21. —

No. 293 A.

No. 504 P P P.

RESOLUTION of Government in the Political Department.

1. **RESOLVED**, that a copy of the above letter to the collector of Ahmedabad, and of extract paras. 1 to 6 from the letter this day addressed to the Resident at Baroda, No. 291, therein referred to, be transferred to the Revenue Department, that orders may thence be issued for the removal of Nursoo Luxmon from the situation of dufterdar to the collector and magistrate of Ahmedabad.

2. Resolved, further, that the Revenue Department be informed that Nursoo Luxmon's salary should cease from the 22d May last, the day on which he was suspended from his situation.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 20 January 1852.

— No. 22. —

MEMORANDUM.

No. 504 Q Q Q.

WITH reference to para. 5 of the chief secretary's letter, dated the 20th instant, No. 291, communicating the decision of Government on the charges preferred by Lieutenant-colonel Outram against Nursoo Punt, the Resident at Baroda is requested to make the following addition to the decision therein communicated on charge No. I: "as worded by the prosecutor; though, from the finding of the commissioner, it would appear, that had the charge been made to include the misleading of Colonel Outram himself, his (Nursoo Punt's) entire exoneration on this head might not have resulted."

Bombay Castle, 22 January 1852.

(signed) A. Malet,
Chief Secretary.

— No. 23. —

Extract Bombay Secret Consultation, 21 January 1852.

PETITION from *Nursoo Luxman*, Ex-Dufterdar of Ahmedabad, to the Right honourable Lord Viscount *Falkland*, Governor in Council of Bombay,

No. 504 R R R.

Most respectfully sheweth,

THAT, under instructions from Government, the acting collector, Mr. Jenkins, in May last, directed him to proceed to Baroda to answer certain charges preferred against him by Colonel Outram, before Mr. Frere, who was appointed commissioner for the purpose of inquiring into the matter under the provisions of Act XXXVII of 1850. He accordingly came at once to Baroda, and reported his arrival to Government in his petition of the 1st June last. As he found that he was ordered to undergo an ordeal under the most disadvantageous circumstances, he hinted therein briefly to the chief source of the difficulty which he rightly apprehended would prevent him from obtaining justice. In reply to this, he was merely informed, through the commissioner, that, whatever representations he had to make to Government, should be submitted through that officer. Before this answer was received, the commissioner had commenced the inquiry, and your Lordship's petitioner therefore thought it inexpedient to trouble Government with any such representations till his trial before this authority was completed.

2. The circumstance of his suspension, even before the charges were publicly communicated to him, was at first very painful to the petitioner; but when he was furnished with a list of them, and more especially when he learnt the contents of Colonel Outram's statement* of facts of the 10th April last, your Lordship's petitioner was fully satisfied that the charges got up against him were apparently made to bear such a fearful aspect as to leave no other alternative to Government but suddenly to take the steps they had taken.

* Exhibit E, 6th Charge.

3. At the same time, however, Government adopted the best possible measure to afford your Lordship's petitioner an opportunity for the vindication of his hard-earned character, by appointing a commission to inquire into Colonel Outram's allegations, and more especially by assigning this duty to a strictly impartial and independent judge. To this act of kindness, which he attributes to Government's desire to see that his character is not unreasonably injured, your Lordship's petitioner begs to express his deep sense of gratitude. He further trusts, that in passing a decision on all those points in which the commissioner may appear to think that your unfortunate petitioner has not succeeded in satisfactorily rebutting the evidence produced by the prosecutor to establish them, the same kind regard will induce your Lordship in Council to make due allowances for the facts represented in the accompanying memorandum, which illustrate the difficult nature of the circumstances under which he was placed on his trial, and the obstacles which rendered his position almost literally defenceless.

And your Lordship's petitioner, as in duty bound, shall ever pray.
Broach, 18 October 1851.

MEMORANDUM.

1. In 1848, before his departure to Egypt, Colonel Outram had preferred against me charges Nos. 2 and 3; and when, on his return last year, he saw Government's decision thereon, it hurt his feelings very much. The remark in the 34th paragraph of the Government's despatch, dated 12th January 1849, (Exhibit S., 3d charge), thus made him anxious to attempt by every means to prove my collusion with Hurree Bhugtee's firm; for, unless he did so, he could not expect Government to allow the question being reopened, or to withdraw the censures passed on his conduct towards me. The determination thus adopted by a highly prejudiced and irritated mind, afforded ample opportunities to my enemies to carry on their intrigues against me with singular success. Those who had a hand in the fictitiously signed petition* of Venayek Dhouden Ubhynuker, caused it to be suggested to the Colonel (about the time of my departure to Ahmedabad, in June 1850), that it would serve as the best foundation. But, before it could be made available, it was necessary to invent the means of making every false allegation it contained susceptible of proof, and the fittest instruments required for the purpose were then ready at the command of my enemies.

2. Two of Hurree Bhugtee's goomashtas, viz., Lulloo Bhugwan and Bhugwan Bhowanee (both notorious for their intrigues), who were at one time in the confidence of Baba Nafra, were then in confinement, from which they found no means to effect their release. They therefore thought it necessary to try every means to obtain the support of the Residency for the purpose of their enlargement; and their anxiety on this point was made use of to tempt them to hinge their complaint chiefly on the allegation of my collusion with Baba Nafra, which course, they were assured, would at once attain for them the object they so earnestly desired.

3. The success that attended their representations convinced them of the truth of the assurances held out to them, and at once made them, as well as every one else of the firm of Hurree Bhugtee, entirely dependent on the Residency. They all became impressed with the conviction, that speaking ill of me was the surest means of obtaining its countenance and support.

4. Further, their representations furnished the plea for examining the account-books of Hurree Bhugtee's, as well as of Baba's own firms, in the Residency; and when in these there was seen enough to show that there were some unexplained entries that might afford materials for getting up vague charges, at least Jyram was made to peep in, to avow the authorship of the petition alluded to in the first para.; and, in his deposition of the 11th July 1850, he made the following very indefinite statement, in support of the most important of the accusations it contained: "In consequence of the connexion of Baba Nafra with Nursoo Punt, the murder of which Baba is guilty has been suppressed; and if the chopras of Hurree Bhugtee, &c., from the years 1902 to 1906 are examined, it will be seen that bribery has been going on."

5. This, however, was not enough to connect my name with corrupt practices; for in the books there was not even the most distant allusion to me, and it was, therefore, necessary to find some means and opportunity to produce this connexion. Accordingly the suggestion of bringing Baba Nafra's private papers from his house was made; and, during their examination at the Residency, it was managed by my enemies to introduce among them surreptitiously a memorandum,† purporting to be explanatory of a blank entry of (20,000) rupees, that was seen in the books of Sumvut 1901 (A.D. 1845), and thus connecting my name with a bribe. A menial servant and two goomashtas were then made to support it by their oral testimony. I say made to support, for their depositions were taken only on the 1st August 1850, *i. e.*, subsequent to the alleged discovery of the memorandum, while the item in the books was noticed a long time before this. Is it possible, then, that they should not have been questioned on the point when the item was first observed in the books?

6. But before this was done, an attempt to establish a more serious allegation in that petition, implying prostitution of the name of a late member of the Bombay Council, was made; for therein the petitioner puts the following low words in my mouth:

"My friendship with him (Mr. Reid) is of a secret nature," &c. &c. * * *
 "I shall apply for pension whenever I like," &c. * * * "I shall spend as much money as may be necessary to secure the assistance of European gentlemen in Bombay, and shall continue to hold this situation."

I think there was some oblique allusion to the Honourable Mr. Reid in Baba Fudkya's letter‡ to Colonel Outram, on the subject of Government's decision in charges Nos. 2 and 3, and my application for pension; and this might have tended to impress the Colonel with the truth of the above insinuation. At the same time, raw material for working out this plot was also ready, inasmuch as there were found in the books some items debited to the account of Hurree Bhugtee's Bombay Agent, and all that was wanting was, to invent a story to connect my name with the affair.

7. So,

* Exhibit A., seventh charge, a translation of which is included in Exhibit B. of the same charge.

† The original draft of it, in the handwriting of the Residency head writer, Mr. Hykoop, was forwarded to Government by Captain French in about December 1849, or January 1850.

† Exhibit A.,
4th Charge.

7. So, on the next day after Jyram's examination, the agent, Joteshwur, was questioned about the appropriation of the sums he had received in Bombay; but no false confession could then be extorted from him. Every attempt was made to force him to relate a story that might implicate me in the affair of his mission; and, at last, in his deposition of the 21st July, he was made to state that it was at my instigation that Baba Nafra deputed him to Bombay in July or August 1848 for the purpose of going to the Honourable Mr. Reid. This being done, Lulloo and Bhugwan, referred to in the 2d and 3d paras., who were ready at the elbow, were made to corroborate the statement by their oral testimony.

8. By such preparations, the position of the author of that petition having been fortified, Jyram was made to appear again, to produce evidence to prove that I boasted of the Honourable Mr. Reid's patronage. He recognized persons with whom he had no acquaintance, but whom he had seen once at my place, 21 months ago; and in wandering about the town for a few days to ascertain their residence, and procure their attendance, he acted his part very ably to satisfy Colonel Outram that there was no collusion between him and his witnesses. For the rest of the scene I would refer to their depositions.* In short, there was ample time, means and opportunities to get up such stories, and support them by oral testimony. But no respectable native that knows me, or has seen me at prayers, would have believed in such statements which were so cordially received and encouraged by Colonel Outram.

* *Vide Exhibit B., 7th Charge.*

9. Having thus succeeded in establishing, as he thought, my collusion with Baba Nafra (who was the manager of Hurree Bhugtee's firm), Colonel Outram forwarded his report on this petition on the same day that he sent in his appeal against Government's decision, alluded to in the 1st para. But on this occasion he appears to have reserved the bribery case (mentioned above in the 5th para.) for no other reasons but distrust of success, arising from a consciousness of the manner in which it had been got up.

10. From this time till about January scarcely any further steps appear to have been taken in Baroda; and that was probably owing to the absence of the chief inventor of intrigues against me. Government, however, not having taken that notice of Colonel Outram's Report, No. 207 B., of 1850, which he desired, further reinforcements were deemed necessary; and a copy of Maurice's note (Exhibit F., 7th Charge) having been procured, it was made use of directly to strengthen charges Nos. 6 and 7, which were indirectly made to reflect on Charges Nos. 2 and 3. And Baba Fudkey having returned from Bombay just about this time, when Mr. Grant also arrived in Baroda, the sheristadar of the latter was made to examine the witnesses in the 4th case a second† time on oath, in order to strengthen it; also, as the people had reason to believe that the judicial commissioner was Colonel Outram's friend, and that he supported Baba Fudkey, and as they saw him directly interfering in the Joitabae case also, these witnesses dared not say anything that might materially affect the statements they had signed before on the 1st August 1850; and while this step thus made Colonel Outram's position stronger, it threw additional difficulties in my way, inasmuch as that it stopped their mouths (through fear of being convicted of perjury) from ever revealing before the commissioner how they were made to make such false statements in the first instance.

† In February 1851, *Vide Exhibit C. and D., 4th Charge.*

11. In that petition I was also made to boast that I had made Hurree Bhugtee's widow go about begging, and, to establish this against me, volumes had been written during this long interval. But, to crown the whole, it was deemed necessary to get up a charge of bribery‡ in connexion with it; and this was effected by my enemies by more refined intrigues than those practised by them in the 4th case. The success with which it was done, and the copy of Maurice's note, furnish ample materials to Colonel Outram for the preparation of his statement of facts, which was thus completed, with its postscript, in April last, and which appears at last to have induced Government to suspend me from office, and subject me to such unmerited and mortifying degradation.

12. There were three unexplained items besides that of 28,070 rupees, but none of them seemed to suit the purpose; and an allusion to the enormous sum of 78,000 rupees in the latter entry appears to have been the principal allurement to attract the intriguers to fix upon it. I think the construction they intended to put upon it was, that as Baba Nafra made a ready cash payment, from his firm of Narayenrow Runchore, on account of the firm of Hurree Bhugtee, he debited it to the account of the latter, which accordingly gave credit to Narayen Runchore for the same in its books. Little had they then perceived that Poorshotum Runchore's books proved that no payments had been made by Nafra out of the funds of his firm, and that the item being the same, it was mere debit and credit, which only proved that Baba had embezzled the money himself. That they were ignorant, or that, at least, they keep Colonel Outram ignorant of this, is evident, from the fact, that in the list of evidence furnished to me with the charges, merely extracts from Samul Bhugtee's and Narayen Runchore's books were mentioned, while Poorshotum Runchore's accounts were entirely omitted. These were produced in consequence of my requisition, Exhibits B. and C., 5th Charge, that were so cleverly founded on this item, being considered sufficient to connect me with it; they seem to have contented themselves with the idea that

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‡ In his reply in the fourth case, Colonel Outram offered a memo. addressed by him to the Durbar on the 24th July 1850, to prove that he required Baba Nafra's dufters to find traces of bribery in connexion with the Joitabae's case only.

the allusion to the enormous sum would support the whole fabric of their intrigues, and thus crush me down under its weight; for it afforded grounds to various surmises, such as that of my having obtained this money by base prostitution of the Honourable Mr. Reid's name.

13. I have founded the above brief outline of the manner in which these charges were got up against me on the information derived partly from the various reports I had heard at different times in Ahmedabad, and partly from what I learnt after my arrival in Baroda, but especially from personal observations during the course of my trial, and indirect proofs of its correctness will be found scattered apparently throughout the proceedings. From this, it will, I trust, be perceived that almost all the intrigues practised to connect my name with corrupt practices having been founded on certain circumstances furnished by the account books, and nearly one year's time having been occupied in making such preparations against me during my absence, it is impossible that I should succeed in exposing them. For what means were left to me to prove a negative upon false affirmatives founded on such circumstances, and supported by such indefinite oral testimony of persons entirely dependent on the Residency? Almost all the witnesses were either guaranteed persons or firms, and their dependents, or subordinates and immediate dependents, of the Residency. There were scarcely any others, save a few servants of the Durbar, who, being subjects of a native state, are accustomed to say anything without regard to truth, provided that it might please a superior, and their only care is to flatter the views and prejudices of gentlemen whose displeasure they naturally dread much. Above all, when it is borne in mind that the heads of the Residency native and English establishments were not only ill-disposed towards me, but were on very intimate terms with my chief enemy, Baba Fudkey, who was high in the confidence of Colonel Outram, it will be seen that I had not the least success of exposing the frauds perpetrated under their auspices, save what may be furnished to me by their errors in getting up the intrigues, as are fortunately apparent in the 5th and 6th cases.

14. In the next place, I most anxiously crave your Lordship's attention to the following circumstances that have further aggravated my difficulties during my trial before this commission:

1st. The provisions of this Act can secure justice when the prosecutor and the defendant are on a par; but there arise endless difficulties, when the defendant is a weak man like me, and ignorant of the English language, in which the proceedings are held; I was unable to spend some 20,000 or 25,000 rupees to procure the assistance of an English lawyer, and could not at such a crisis get even as competent a native as was required for moderate terms.

2d. The commissioner thinks that his chief duty is to see what will support the prosecution; while, to rebut the accusation, I must entirely depend upon my own exertions and resources; but the prosecutor is no common man; he is the Resident, in the full exercise of his powers; and therefore, the Durbar minister, and the Guikwar's subjects, are, as a matter of course, quite under his influence. When this fact is borne in mind, it will be clearly seen what resources I can have in such a foreign capital of obtaining evidence to rebut the false accusations got up against me.

3d. Colonel Outram knows this well, and, in order to deprive me of the benefit of this consideration, he repeatedly asserted that the Durbar and people of Baroda were my partisans, and that my relatives and friends assisted me: but this was not a fact; what do the Durbar and its officers care for me? It is upwards of a year since my connexion with the Residency has entirely ceased; and during the period I was in Baroda, I always held an impartial or neutral course in every case pending at the Residency, a course that can seldom procure friends, who would stand by me in such a time of difficulty, at the risk of their own interests. It is true that there are three or four houses that have direct or indirect matrimonial connexions with my family. But what influence have they? they are mere dependents of the Durbar; and what assistance could they render me in a matter in which their superior authorities were assisting the Resident. In a word, through Shumbooram, the city cotewal, the Durbar was, as it were, from the beginning mixed up in the affair; for they were sensible to the evils that might befall the state in case they incurred the displeasure of the Resident, while they had nothing to apprehend from me, though they allowed any injustice to be done to me.

4th. Nevertheless, I have heard it rumoured in the town, that Colonel Outram complained to Government of the conduct of the Durbar, and its men, as being partial to me; that Government, in consequence, addressed a letter to his Highness; and that the Resident personally remonstrated on this point to Gunputrow Maharaj, and got strict orders issued to all to assist the Residency only.

5th. In consequence of the disgrace to which I have been subjected, I am ashamed to show my face even to my own sons. It was only because I could not avoid it that I reluctantly appeared in public only in the court during my trial. I have given up all sort of communication with any one, and avoid seeing, talking, or writing to anybody as much as possible. However falsely, yet having been accused of such grave offences, I do not rely upon any friend's support. On the contrary, my mind is engrossed with painful apprehensions as to what must the gentlemen who know me have been thinking of me at this time. In such a predicament, it is evident that I could not utter any improper boastings; yet Colonel Outram one day in the court accused me of having

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told people that the commissioner's brother being my friend, the inquiry would be conducted according to my wishes. This was done, I apprehend, either with the view of prejudicing the commissioner's mind against me, or of holding him in check.

6th. During a trial in a session court, the depositions of witnesses are written in detail in the native languages. But, according to the provision of this Act, only notes in English are taken down during the examination of a witness, and this is sometimes a source of difficulty in some respects.

7th. Most of the people of Baroda being moreover ignorant of the proceedings of English courts, do not readily comprehend a question, or give direct answers accordingly. But, according to the customs of a Mahratta Durbar, they sometimes hesitate awhile before they answer. This unfortunate circumstance was, to some extent, prejudicial to me.

8th. The evidence of almost every witness having been recorded on oath at the Residency during the preliminary investigation, when they were tempted to make false declarations, either through fear, favour, or expectations of securing some self-interest in view, it was evidently difficult to extract truth from such witnesses, when now examined before the commission, for when any one, in obedience to the dictates of his conscience, attempted to speak the truth, he was immediately questioned regarding his former deposition, and thus (through fear of getting into perjury) compelled instantly to submit to it. On such an occasion, prudence required that I should rather quietly allow such a procedure, than say a word about it in the court; for if I acted otherwise, I might immediately have been accused of having attempted to tamper with that witness; and the Residency could never have been in want of a host of witnesses to prove such a new charge against me.

9th. When a mamlutdar, &c., in the Government territories is accused of corrupt practices, the preliminary investigation is conducted by the magistrate in the presence of the accused; and after it is once completed, and the case committed before the Session Court, the magistrate cannot file new evidence, or interfere in the matter, in any way. The former authority then goes through the inquiry anew, and the accused having already a minute knowledge of the case, is thus enabled to defend himself, and cross-examine the witnesses, &c.; and with his defence the proceedings are closed. While in my case, the prosecutor being the principal authority who had himself gone through the formality of the preliminary inquiry during my absence, he sat by the side of the commissioner to conduct the case. Who could then venture to give evidence against his wishes? Nevertheless, Colonel Outram used occasionally to accuse me in the court of having made signs to the witnesses examined on behalf of the prosecution. This course he adopted, I think, with the view of frightening me, that I may shrink from subjecting his witnesses to a strict cross-examination. Further, according to the provisions of this Act, three days' time is allowed to the accused after he is furnished merely with a list of the charges and evidence that is to be brought forward to support them. But of what use is this time? What means does it give to the accused to obtain correct and detailed preliminary information that is most essential to him when he is entirely innocent? Again, while the prosecutor is at perfect liberty till the close of the case to get up further evidence and new witnesses, even after the accused has given his defence, the latter is allowed no time to find out how this has been got up, or to enable himself to rebut the new oral evidence. By these remarks, however, I should not be supposed to insinuate anything against the justness of the principles of this Act, or to prefer a trial by a Session Court. Far be this from me; for who can deny that it is the best mode in which any respectable officer would like to be tried, when accused of such grave offences? All that I complain of is, that, in consequence of the peculiar circumstances in which I was situated, but more especially in consequence of the seat of inquiry being a foreign capital, entirely under the influence of the prosecutor, I could not derive that assistance from the judicious provisions of this Act which it is intended to give to the accused to enable him to prove his innocence.

15. Having thus shown the circumstances that have rendered me defenceless, I now proceed to make a few observations on some of the principal points in each case, which I think it necessary to submit to the indulgent consideration of your Lordship in Council.

16. In case No. 1, Colonel Outram asserts, that Sir R. Arbuthnot did not attend any private house on any occasion, and that very seldom did any Resident honour such ceremonies by his presence, and lays much stress on the circumstance of his late Highness having attended the ceremony of naming Joitabae's child. That Sir R. Arbuthnot did go to private houses on occasions* of marriages, &c., is as well known a fact in this town, as that the late Resident, Mr. Boyd, attended the ceremony of naming Joitabae's stepson, Poorshotumbhoy,† on Monday, the 13th February 1843, and that Colonel Outram himself attended Bhaskerrow Vithul's house on a similar occasion on the 11th September 1850. And as for his late Highness having attended the ceremony of naming Joitabae's own child

* *Vide* Office Memoranda placed on the Residency records.

† The boy who is the present head of the firm of Hurree Bhugtee.

child in 1846, it cannot affect the merits of the case, when the disposition and conduct* of Syajeerow, as well as of native states, generally are borne in mind. Who can believe that his Highness was entirely ignorant of any of the circumstances connected with the birth, recognition, and ultimate abduction of the child?† But if from his having countenanced the ceremony of naming the child, it is to be believed that at that time the popular voice did not pronounce any doubts regarding its legitimacy, what is to be inferred from his perfect silence when Baba Nafra authoritatively snatched it from Joitabae, and made it over to coolies, within a few hundred yards of the palace—a circumstance which had caused no little sensation in the town?‡

17. In case No. 3, as the agreement between the Pole and the Parukh was settled but in January 1846, while, according to the lease, the Patells of Kasheepoor were bound to give “nisha” (security) in the month of October preceding, it may be asked why “nisha” for St. 1902 (A.D. 1846–46), was not taken prior to that agreement? and it was argued, that the agreement with the Parukh should be considered quite distinct from the lease, and both ought to have been preserved separate by the Residency. But it should be borne in mind, that until the state of both “khureef and rubee” crops can be ascertained, it is not easy to obtain “nisha:” a month or so more than the time specified in the lease is required to enable the lessees to procure security. Further, in this case, in consequence of the Pole’s insisting on changing his parukh, Sir R. Arbuthnot did not like to interfere in his affairs, and allowed matters to remain in a state of stagnancy; for whoever might be his parukh, he was not merely to be lender of money, but was also to manage the whole of the Pole’s estate on his behalf; and accordingly, by the agreement§ of January 1846, the Pole did place the management of his estate into the hands of his new parukh, who, in consequence, became the sole manager, and the lease became assimilated with his agreement, in which care was taken to provide for making the parukh responsible, if he violated the terms of the lease.

§ *Vide* my letter to the Commissioner, of 18 August 1851.

18. Colonel Outram has very prominently brought forward the fact of the Guicowar authorities having realized a very large amount from these villages in St. 1906, that is, in the season in which they were made over to his Highness by the Acting Resident, Captain French: should this point be deemed of any importance, I beg that the suggestion I have made at the end of para. 17 of my defence may not be overlooked, and that the Durbar may be called upon to give similar information regarding the revenue collections for the last season, *i. e.* St. 1907, in which I have ascertained that the net land revenue realizations fall short of those of the preceding year by about 2,000 rupees.

19. In case No. 4, I beg to offer, with due deference, the following remarks on some of the reasons assigned by the commissioner for rejecting the evidence adduced by the prosecutor, with the view of rebutting certain arguments in my defence:

1st. The commissioner remarked, that in my cross-examination of the witnesses, on the point of the discovery of Exhibit A., I have not shown any grounds for suspecting unfair play, nor adduced any evidence on the subject. But, with the exception of Government servants, and persons in the interest of Soorujram, it is alleged that Hurree Bhugtee’s goomastas were present at the examination of “the dufterdars.” For the character of Lulloo Bhugwan and Bhugwan Bhawanee, I beg to refer to my defence in the 6th charge;|| and as for the rest of the goomashtas, Bhaeejee Ghela and Icharam, I need hardly repeat that they were entirely dependent on the Residency. It was alleged that Baba Nafdy’s goomasta, Runchore Nuthoo, was also present; but when I wished to examine him, Soorujram represented that he was not to be found: under such circumstances, how was it possible for me to succeed in elucidating, in the cross-examination of the witnesses, grounds for suspecting unfair play?

|| *Vide* Exhibit O., 6th Charge.

Andrews’ case.

2d. Ladhkolia Yadee relates to the items in the chopras of Baba Nafra’s private firms; but should no other memorandum similar to A., regarding the items in Hurree Bhugtee’s account books, have been found in the Nafdy’s dufturs, I trust Government will attach due weight to the remarks in the 10th clause, 4th para., of my defence.

3d. The commissioner remarked, that, in consequence of Soorujram’s evidence, he was satisfied that no improper influence had been used to tamper with the witnesses. I wished to call in for the handwriting of A. But it will be seen therein, that, after I had given in their names, Soorujram and the Guikwar’s minister met together that night,¶ and talked on the subject. How was it possible for me, in my present situation,

* The ceremony of naming the child was not performed on the twelfth day after its birth, but was delayed for some weeks.

† *Vide* Memo. from the Durbar, received in the Residency in September 1847, and registered No. 634, translation of which is among the accompaniments to Captain French’s report of the 15th November 1848, No. 287.

‡ *Vide* Mr. Andrews’ report of the 22d March 1847, as well as his second report on the same subject, which has not been recorded. That gentleman has distinctly informed Government that Lad Bayee’s complaint was not taken notice of by the Durbar, &c. &c.

¶ That was not the minister’s usual time for a drive, nor was it an accidental meeting.

tion, to prove the point any further; could Soorujram be expected to confess it, or could the peon, who went to invite the minister to his place, or the latter,* be expected to give evidence against the native agent? As I learnt the fact, I found reason to entertain suspicions, and Soorujram's evidence was enough to prove this much. On this point the prosecutor adduced a memorandum from the Durbar, dated the 3d August last, but that memorandum was (I have heard) written agreeably to the desire of the Residency.

* Minister.

4th. Further, the three witnesses examined (on the point of the handwriting of A.) on behalf of the prosecution, were persons who were not acquainted with Bulwuntrow Nafdy's handwriting. They pretended to recognize it by comparing (A.) with other papers in his hand. These witnesses being personal friends of Baba Fudkey, it was useless my cross-examining them in a manner that might suggest† the probability of (A.) being the production of a goojrathee. I questioned Byajee Vyjnath regarding certain letters, but he appeared determined to affect that he believed (A.) to be in Bulwuntrow's handwriting. I, therefore, did not expect to elucidate the truth from any of these witnesses, and so did not attempt further. In my present situation I had likewise no means of proving in the Court that they were Baba Fudkey's friends, and used to hold consultations with him. But indirect inquiries in the town would establish the correctness of this statement.

5th. Evidently, therefore, I had no alternative but to call in new witnesses, among whom were persons who, I heard, had once before declared that (A.) did not resemble Bulwuntrow's handwriting; and, when it is borne in mind that this memorandum being the connecting link between the blank entry in the books, and Hureeya's oral testimony was the most important evidence for the prosecution, it will be easily allowed that I could not have willingly withdrawn the evidence I had proffered on the point of its handwriting, but that I must have been reluctantly compelled to do so. This consideration will, I trust, induce your Lordship in Council to accede to the request in the 13th clause, paragraph 4th, of my defence. In the 5th case, a similar memorandum (Exhibit A.), is also alleged to be in Bulwuntrow's handwriting. A comparison of both the exhibits will at once show that they are not in the handwriting of the same individual.

6th. The menial servant, Hureeya, who is the principal witness in this case, in my cross-examination stated, that the house in which he deposited the money was where an oratory has since been built by Baba Nafdy. As this was an important point that showed how false was Hureeya's whole story, I represented it in my defence. The same witness was, however, re-examined on the point at the time of the prosecutor's reply; and in order to reconcile his former statement, Hureeya at last said that the room was at the time separated from the oratory by a road, but that it has subsequently been united with it. He styled the house as the "koowawalla." When the Commissioner went to see the place, Hureeya pointed to a portion of the spot mentioned in the 2d paragraph of my letter of the 15th August, as "the piece of ground, with the well included, in the oratory," and asserted that at the time he deposited the money there was not the room with the well inside, as it now is, but that there was a room separate from the oratory there, with the well close in front of it, on the outside. This, however, is not a fact, inasmuch as that on the date of the alleged bribe there was no such room on that spot as asserted by Hureeya. The bricklayer, as well as the Goomashta who superintended the building of the oratory, being present there, contradicted Hureeya's statement; but as the proceedings in the case were closed with the prosecutor's reply, on the 12th August, the Commissioner could not then (according to the Act under which I am tried) examine any witnesses on my behalf, and he remarked that he saw no reason to distrust Hureeya's statement on this point. But placing the idol in the oratory was something like a great festival,‡ attended by hundreds of Bramins of the town, who then saw this spot, with the well included in the oratory, in the same manner as it now is. They declare that on this spot there was then no room separate from the oratory, as described by Hureeya. Further, an inspection of the building shows, that the spot pointed out by this witness must have been included in the oratory at the time when its foundation was first laid; for the room which now stands there, and in which is included that well, has not the appearance of having been ever separate from the oratory, or of being subsequently united with it. As, in my present situation, I had not the means of exposing how this witness was got up, the only way in which I could bring to light the falsity of his statement was, by pointing out any material discrepancies that might occur therein; and I am, therefore, compelled to bring this point specially forward, though the Commissioner is not of my opinion.

Vide my letter to the Commissioner, dated 15 August 1851.

Vide 1st clause of the 6th para. of my defence.

7th. In his reply in this case, Colonel Outram very prominently brought forward the fact of a bribe of 15,000 rupees having been sent by Baba Nafdy to Soorujram, native agent, only 18 days after his arrival in the Residency. As I stand accused of

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† When, however, the Commissioner made Bulwuntrow write some copies of (A.) from dictation, I suggested that words, instead of each letter separately, be dictated to him.

‡ This ceremony was performed in March 1845; i. e. about two months prior to the date on which Hureeya alleges he took the money there.

* Soorujram.

very grave offences, I should have refrained, on this occasion, from making any remarks on this point, had it been but incidentally alluded to by the prosecutor in his address; but since it was advanced as an evidence against a certain passage in my defence, I deem it necessary to take some notice of it here. It is a fact that the good or bad conduct of every native officer is generally known to all engaged in any kind of business. Very few may be ignorant of it, but almost all know it secretly or publicly. My character and conduct were so generally well known, that nobody dared to speak to me about a bribe; while, on the other hand, a knowledge of Soorujram's past career easily encouraged Baba Nafdy to make "khutput" with him. He* was at first a goomashta of the Desayee of Nuriod, and had passed some years of his youth in the jail, in the affair of some theft. Afterwards he was, for some years, occupied in making "khutput" with Bechur Poorshotum (the then revenue Sheristedar of Kaira), about the affairs of people who had any business there. Some time after Bechur Poorshotum was convicted of corrupt practices, and sentenced to three years' imprisonment. In the time of Mr. B. Mills, Soorujram accompanied the then Judicial Sheristedar of Kaira Madhowlall, to Sadra, as the latter was appointed native agent in the Maher Counta. There Soorujram followed the same occupations; and I need hardly remind Government that this Madhowlall, having been also convicted of corrupt practices, was dismissed from the Government service. Through Madhowlall's influence, however, Soorujram had already obtained an appointment under the Mahee Counta Agency, where he served for some years. From thence he was promoted to the situation of Foujdar of Ahmedabad, about a year before he got this appointment. In a word, his antecedents and his abilities were as well known as the fact that he was Colonel Outram's favourite; and no sooner he arrived than was Baba Nafdy imprisoned, and thus made to feel that he was entirely at the mercy of the native agent. One Motee Herrachund Attursoombakur, whose occupation was to give "Nisha" for people under the Mahee Counta agency, and so forth, was on very intimate terms with Soorujram. Through this Motee, negotiations of the bribe in question were carried on, and Baba's situation tempted him to send the money. I have heard that the trick of requiring a bribe, and then making the fact public when the money was actually brought to his place, was purposely played with the double object of ensuring Government's confidence, but more especially of inducing them to believe that his predecessors must have been in the habit of receiving such bribes. To such frauds I am a stranger. I never thought that such a display of the proof of honesty would do any credit to the moral character of any man. I need not, however, say much on this point; all that I wish to urge is, that there is not the slightest resemblance between the features of the two cases. The Shastree's dispute, in 1845, had not placed Baba or the firm in that predicament to which the Joitabae case reduced him in 1850.

8th. With reference to Exhibit P. and the correspondence regarding it, I need hardly remark, that to those fully acquainted with the case, the opinion I have given therein will appear impartial; and that the head accountant's explanation is directly opposed to the principle suggested by me.† The reason why I did not bring to the notice of the Colonel the fact of the private negotiation of a compromise between the disputants, is plain enough. That either party would accept the terms offered by the other, and the negotiation being very privately carried on, what was the use of my mentioning this to my superior, without any proof of it?

20. In case No. 5, if any weight is attached to Bulwuntrow's admission, regarding the handwriting of Exhibit A., the unaccountableness, &c., of his further statement that it was a copy, he made in the Residency should not be forgotten. When, at the time of his reply, the prosecutor wished to record Baba Nafdy's statement that he had spent this money in secret service, the Commissioner rejected it on the ground that since I had not proved that such was not the case, it was not necessary to receive this evidence. But a reference to the accounts of the three firms will, I trust, convince your Lordship in Council that it is proved beyond a doubt that the greater of the two constituents of this item (viz., the sum of 23,070 rupees) was not spent by Baba Nafdy in secret service, but was appropriated by himself. Under this circumstance, his unsupported oral statement does not prove the point that the prosecutor wished to establish, while in an extract from the Goomashta's explanation bearing on this subject, which was offered at the same time (but which also was rejected on the same plea), they merely accuse Baba of having caused such entries to be made with the view of appropriating this item to himself. As the prosecutor, therefore, did not (because he could not) show the item re-debited in Poorshotum Runchode's account books, Baba Nafdy's bare allegation was no proof that he did spend this sum in secret service.

21. In short, in this case at least, I trust your Lordship in Council will clearly perceive that I have been the victim of a conspiracy, and had it not been for the various difficulties noticed above in detail, I could have traced its intrigues to the very source, however unconsciously or ignorantly; but when intrigues happen to be countenanced by authority, it is impossible for the accused (be he however innocent) to expose them. But for the sake of justice,

† *Vide* my letter to the Commissioner, dated 20 August 1851; Colonel Outram's memorandum on the same subject, received on the same date; Colonel Outram's letter to the Commissioner, dated 15 September 1851, with its enclosure of the preceding date, in reply to my letter quoted above.

justice, I trust Government will bestow due attention to the features of this case, in which the fraud is transparently more serious than in the 4th. It will, I hope, be not forgotten that if a fraud could be so successfully practised in the 5th case, how much more easy it was to introduce Exhibit A. surreptitiously in one of the 56 bundles of Baba Nafdy's private papers lying unsealed and unlocked in the Residency for several days. And partly for this reason, it is necessary to ascertain why Baba Nafdy should have kept explanatory memoranda only of these two sums, debited in 1845 and 1848, while he kept no such papers regarding other items that appear to have been actually spent by him within the intermediate period in what he calls secret service. The minister has admitted that no further measures were taken for the security of the "Jamdarkhana," during the interval of some months that elapsed between Baba Nafdy's imprisonment and the commencement of its examination by the Committee in March last, than giving a mere "Takeed" to the Goomashta's seals; on the locks were placed only during this examination.

Vide his Examination in the 5th case.

22. In the 6th case, the discrepancy about the date and the inconsistent attempt now made to reconcile it by the plea of Meigshur year, will clearly show to your Lordship in Council that the original story of the Goomashtas was a mere invention, inasmuch as it related to my having gone to Baba Nafdy's house, in July 1848, and there advised him to send Jotashwur to Bombay to bribe the Honourable Mr. Reid. If in no case should the Goomashtas have given the "Murugshur" year, what made them do so in this instance? This fact will be clearly seen by a reference to their other depositions. That Jotashur went to Bombay is an undeniable fact, upon which this intrigue has been founded. By the oral testimony of the two Goomashtas, my name is connected with the affair. Under such a circumstance, let any judge consider himself for a moment in my situation, and see what means are left to him to prove a negative upon such an affirmative. How is it possible for any one in my situation to prove how these Goomashtas and Joteshwivar were got to make false declarations before Colonel Outram in July 1850, more especially as I was absent from Baroda at the time? How can I prove that one of the Guikwar's authorities assisted the Residency in the matter by an abuse of his authority? Who will give evidence against him? What means have I of proving that consultations for getting up such oral testimony, both then and now before the commission, were always held at the house of the man who hates me, and who got up almost every witness in every case? In a foreign capital, and at a time when the authorities in power appeared willing to ruin me, while I was abandoned to my fate by Government, the utmost assistance that any one could venture to render me was to give me information privately regarding the intrigues going on against me; but who would run the risk of giving evidence in my behalf? and what means had I of arresting or exposing such intrigues? Under such circumstances, it was easy for every witness to deny that he had gone to Baba Fudkya's, or had consultations with him; but should Government take proper measures to ascertain the public opinion in Baroda, your Lordship in Council will soon be satisfied that Fudkey has been at the bottom of all the intrigues from the commencement.

23. In the 7th case, Baba Fudkya's connexion with the intrigues practised for my ruin, will, I trust, be perceived by Government, through the transparent evidence of Munchurjee. The Maurice note I had from the first attributed to my enemies, *i. e.*, to the same source as the fictitiously signed petition;* and it is no wonder that a copy of it has been produced by Munchurjee. A doubt, however, now arises in my mind, that had this copy been in their possession before Baba Fudkey last went to Bombay, it should have been placed in Colonel Outram's hands, to strengthen his report of the 7th September 1850 (No. 207 B.) If, therefore, their Bombay friends had no hand in the writing of this note,† or if they have not obtained a copy of it from the original author, it is evident that Baba got it in November or December last, in Bombay. It will be seen, from the evidence‡ of Mr. Morris, that C. had not only been in several private hands for a long time, but it had also been in the police office; and there being (as is well known) many friends of Baba Fudkey in Bombay, he had ample opportunities of getting a copy of it. This consideration will, I trust, remove any doubt that may be excited by Exhibit F., as to the possibility of a copy being obtained by Munchurjee, if I did not display C. in the Baroda camp.

* Exhibit A.
VII. Charge.

† Exhibit C.
VII. Charge.

‡ Exhibit H.
VII. Charge.

24. With regard to Exhibit A., Colonel Outram draws unfair arguments reflecting on the superior authorities, in consequence of the delay that occurred in forwarding it to Captain French, and the despatch with which the latter answered this reference. I need hardly observe that the delay on the part of Government cannot be fairly attributed to any desire to screen me if I was guilty; for there will be found hundreds of instances on record in which even English petitions are referred to the local authorities, several weeks after the date of their receipt. Moreover, from the endorsement on it, it appears that an English translation of this petition, in the Secretariat, was ready only on the 14th December 1848. Again, though in the English records of the Residency it is registered on the 9th January 1849, this reference was actually received on the preceding day, as will be seen by the native endorsement on the original petition. It is argued that one day was not sufficient for Captain French to ascertain whether there was any man by name Venayek Dhondew Ubhyunker in so populous a town as Baroda. But when it is remembered that each section of the town has a "chubootra," and that the men at each "chubootra," having a general knowledge of the inhabitants in their divisions, can go round the houses, and ascertain if such a man lived in the part in their charge within two or three hours, such inquiries having been made by all the "chubootra" men in their respective divisions simultaneously,

it is not impossible to ascertain, within five or six hours, whether such a man is in the whole town or not. It will be readily admitted, that the name of the man, with his father's, as well as the family name and caste, being known, this task was not as difficult for the Baroda authorities, as that performed so creditably by a private individual, Jayram Hybutrow,* within two or three days.

Broach, 18 October 1851.

— No. 24. —

No. 504. SSS.

No. 294 of 1852.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *Nursoo Luxmon*, Broach.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your petition, dated the 18th October last, and to refer you to the Collector of Ahmedabad, to whom the decision of Government in your case will be communicated.

By order, &c.
(signed) *A. Malet*, Chief Secretary.

Bombay Castle, 20 January 1852.

— No. 25. —

No. 504. TTT.

MEMORANDUM.

1. IN the letter, dated the 22d October last, from Mr. W. E. Frere, Commissioner, to inquire at Baroda into certain charges against *Nursoo Luxmon*, there are certain passages animadverting on the conduct of business in the Political Department, and on some of the assistants in the Secretariat, on which the Chief Secretary, by the permission of the honourable Board, begs to submit the following remarks. In paras. 19 to 22, Mr. W. E. Frere states—

“ Para. 19. Again, in the seventh case, it is shown that *Nursoo Punt* received from Bombay, at the same time the Resident received it, information which could only have been obtained from one of the members of Government, yourself, or some clerk in your office; and we cannot then be surprised if the ignorant, unable to discriminate between unprincipled subordinates and the heads of Government, are misled by ideas so prejudicial to our own personal character, as well as the character of the Government in general.

“ 20. It would not have furthered the end for which I was sent here to have entered more in detail than I have done into the subject, but a reference to your records will show how much of ‘*Mr. Maurice’s*’ letter to *Nursoo Punt*, in the seventh case, was copied from the minutes of Government, and whether the resolution in question originated with Mr. Reid, or was adopted from minutes made by him; and that would show whether the leading part Mr. Reid is said to have taken was pure invention, and consequently that the man signing himself ‘*J. R. Maurice*’ might have been a mere clerk or copyist, and have obtained all that was true of the information he sent from the letter he had to copy, or whether the whole account was correct, which would indicate that the writer held a confidential situation.

“ 21. The conduct of Messrs. Smith, Rouget, Showell, and Thomas, in not having instituted some immediate inquiry, and denounced the wrongdoer, appears most inexplicable; and unless the breach of trust herein indicated is considered a very venial offence in Bombay, one would have thought that their first impulse, on finding that there was a traitor in the office, would have been to have tried to discover who he was, or, at any rate,

* He discovered his four witnesses, of whose caste, names, and the place of residence he was entirely ignorant. Vide B., 7th charge.

rate, have informed you of the fact, and thus have put you on your guard; but the evidence in this case goes to show, that though the letter was in Bombay in June 1849, you were not made acquainted with the fact until April last. Mr. Morris also appears to have evinced a degree of apathy not to be expected from a person either jealous of the honour of the Government he serves, or anxious to discover who had misused his or a similar sounding name.

“22. Had I, while inquiring into Nursoo Punt’s conduct, made any inquiry into the conduct of those mentioned above, I should have evidently gone beyond my commission; but I should as certainly have neglected my duty to Government, did I not bring the subject thus prominently to your notice.”

2. Mr. Frere, in thus bringing to the notice of Government what he considered to be facts, might have spared his animadversion; for the matters he has thus touched on not having been judicially before him, he should naturally have supposed that some explanation might be afforded which would divest the behaviour of those gentlemen whom he has named of the criminality he would attach to it; and the Chief Secretary begs here to quote the 13th and following paras. of a memorandum, dated this day, explanatory of certain portions of Colonel Outram’s paper, intituled “Certain facts relating to Nursoo Punt.” This quotation contains all that has yet been discovered concerning the letter signed J. R. Maurice, and shows that it might have been written by any one, whether in or out of the Secretariat, cognizant of the result of the deliberations of Government, and that as soon as the letter was received, inquiries were set on foot to discover the author. These inquiries were, the Chief Secretary regrets, unsuccessful at that time, and even since, with many other sources of information not at that time available, no certain evidence as to the authorship of it has been obtained. The statements of the assistants in the Secretariat, whose names are mentioned by Mr. Frere, are also appended, marked Nos. 1 to 4.

“13. In the year 1849, sometime between March and June, the letter in question, signed J. R. Maurice, was sent by Nursoo Punt, as he states, for discovery of the writer, to Mr. J. Morris, the assistant registrar in the Sudder Adawlut, who brought it to the notice of the assistants in the General (Mr. Rouget) and Revenue Departments (Mr. Showell) of the Secretariat, that they might try to trace the writing. Mr. Showell took it to Mr. Thomas, the assistant in the Political Department, who brought it to the Chief Secretary, who in vain endeavoured to trace likeness in the writing to any in the political branch in the Secretariat, and the other assistants were equally unsuccessful in the departments to which they belonged. The Chief Secretary could not discover by whom, at the date of the letter, the minutes might have been seen, as there had been no particular secrecy used nor enjoined; but they must have been seen by Mr. Craig, by whom the minute-book and Bengal abstract entries were always prepared. It is not clear from the letter what minutes were before the writer when he penned it; but as that of the Right honourable the Governor, dated 28th December, was copied fair in the office by a sectioner, it must have been known to Craig, who registered the sectioner’s work; and, from the letter, it is evident that any one in the office who had seen the minutes, or any one out of it who knew the results of the deliberations, might have written the letter in question. In short, although there was ample reason to infer that the letter emanated from some one who had an opportunity of knowing what was the result of the inquiry into Gorajed Pol’s and Hurree Bhugtee’s cases, there was no ground to fix it on any one person in particular.

“14. Increased vigilance had been about that time exercised in the Political Department, in consequence of the detection of Bhasker Bhaesett in the act of returning a letter which had been taken away over night, and who was dismissed in consequence. The principal part in this discovery was taken by Mr. R. D. Craig, the person above mentioned, who was superintendent of sectioners, and who the Chief Secretary now believes to have been the chief person through whom information was obtained from the Political Department; a man who, having been employed for twelve

or thirteen years, and during nearly the whole of that time confidentially so, in the Secret Department, had the means of procuring almost any information he pleased; a man of a reserved disposition, belonging to the Free Church of Scotland, strict in the performance of religious formalities, and whose conduct in his official duties, even after the detection of his immorality, was apparently so guarded and steady, that no suspicion ever attached itself to him.

"15. It may not perhaps be irrelevant to remark, that though the Chief Secretary believes that Craig was the author of the letter signed J. R. Maurice, and of those addressed to Messrs. Reid and Willoughby, there has not, even since his departure, been discovered any clue to the handwriting of the body of the petition; the suspicion being chiefly founded on the discoveries subsequently made concerning Craig's character, his connexion with Hurree Bhugtee, as shown in the evidence received from Colonel Outram, and the opportunities which he had of obtaining the information which he wished to give; the only similarities in the writing in the petition being the word 'secret' on the envelope, which is like his writing, and that the signature J. R. Maurice is corrected with a different kind of ink, exactly in the same manner as the signature attached to a letter known to be Craig's, which he forged as the 'death-bed confession' of a man on whose memory he wished to fasten the charge of having seduced his wife's sister, an incestuous crime of which he was himself guilty."

3. In the 24th para. of his letter, Mr. W. E. Frere states—"There is also an unhappy concatenation of circumstances, which will not escape his Lordship in Council's observation, connected with his letter to Captain French; and that is, that the petition to which it gave cover contained reflections upon Nursoo Punt's character, and was received in Bombay on the 20th November; but no notice appears to have been taken of it until the 4th of January following, when it is sent up for the Resident to inquire whether it be genuine, and was accompanied by another letter, permitting the Resident to retain the accused person in his situation. It is impossible that the head of an office can superintend all the details, but there must be some person in the office whose duty it would have been to have suggested to you that these letters, which stultified one another, should not have been despatched on the same day; and it would then of itself have occurred to you that the permission to retain Nursoo Punt in the service should have been withheld until the other letter was answered. It might, however, have so happened (and your records can alone prove it) that the order for sending the petition for report had been suppressed until the other letter was prepared, and then some greater offence than I have contemplated would appear to have been committed in your office."

4. In reply to this charge, the Chief Secretary has the honour to quote paras. 6 to 9, of the memorandum above alluded to.

"6. The petition thus alluded to was written in the native character, and consequently was taken in by the Persian Department for translation. It was there received on the 25th November 1848, and after considerable delay, to be easily accounted for from the arrears of business at that time existing in that department, the translation was sent to the Political Department on the 20th December; on the following day it was sent in circulation, whence it was returned to the Chief Secretary on the 2d January 1849. The orders in the case of Hurree Bhugtee and Govind Roa Gaekwar were issued on the 15th December, on minutes by the Right Honourable the Governor, dated 20th November, Mr. Reid, 24th idem, Mr. Willoughby, 2d December, and a short one by the Governor, concurred in by the Board, of the 5th December."

"7. On the 2d January, the pseudonymous petition was returned from circulation, and on the 4th was sent to the Resident for report as to whether it was a *bonâ fide* petition or not."

"8. On the 28th December, the Right honourable the Governor's minute in the case of Hurree Bhugtee *versus* Gorajee Pol was written; it was concurred in by his Excellency the Commander-in-Chief and the Honourable Mr. Reid, and on the 30th December, by the Honourable Mr. Willoughby in a separate minute. The date of the return of these papers
escaped

escaped registry, the only date of return being the 11th January, when the draft letter, which must have taken some time to prepare, was returned, approved by the Board. But the Chief Secretary is nearly certain that these papers were returned simultaneously with the proceedings on Nursoo Punt's petition to be allowed to retire on his pension, which reached the office on the 3d January, and which was no doubt purposely detained in circulation (the Minute is dated the 7th October) until the decision on the charges against Nursoo Punt in Ghorajee Pol's case had been disposed of, as until that was decided, it was not certain that the minute on the petition would stand: thus the whole of the matters under consideration had been disposed of on the 3d January, the date of the letter signed J. R. Maurice."

"9. The Minute on the pseudonymous petition was, 'I would send this and the original to Captain French, that he may discover whether it is a *bonâ fide* petition from a person;' under which order it was sent to the Acting Resident at Baroda on the 4th January. The usual mode of disposing of petitions is to send them for opinion and report: it will be observed that the difference in the order on this occasion is quite sufficient to show that it was considered pseudonymous, and that the unsupported accusations it might contain could not affect any decision of Government on other matters, while the date of its receipt from the Persian Secretary's office was five days subsequent to the communication to the Resident of the decision on Hurree Bhugtee's case, issued on the 15th December."

5. From the above it will be perceived by the Honourable Board that the petition was received in the Political Department on the 20th December, five days after the issue of the orders acquitting Nursoo Punt of blame in the case of Hurree Bhugtee against Govind Rao Gaekwar; that it was disposed of by the members of the Board, at the same time as the case of Hurree Bhugtee against Gorajee Pol, and as Nursoo Luxmon's petition to be allowed to retire on his pension, which had been recommended to the favourable consideration of Government by Colonel Outram; that it was believed to be pseudonymous, and that the permission to retain Nursoo Punt in the service was so guarded in expression as to prevent the slightest necessity for keeping it back; that the allegations contained in the petition, if deserving of any credit, which could be discovered at Baroda alone, would have afforded the Resident a reason for refusing to retain Nursoo Punt until further inquiry, but could not have justified the Chief Secretary in delaying to forward that permission accorded by Government, after the most full and patient consideration of the serious charges brought against him in Colonel Outram's reports on Govind Rao Gaekwar and Gorajee Pol's cases, both of which had been determined in the Native Agent's favour.

(signed)

A. Malet,

Chief Secretary.

Bombay, 22 January 1852.

(No. 1.)

STATEMENT of Mr. R. Hughes Thomas, Uncovenanted Assistant to the Chief Secretary to Government.

1. WITH reference to the mention of my name made in paragraph 24 of Mr. Frere's letter to Government, dated the 22d October last, in connection with a letter which was addressed in the early part of the year 1849, to Nursoo Punt, native agent to the Resident at Baroda, in the name of "J. R. Maurice," I beg to state, that I have a recollection of the letter in question having been shown to me a long time since, by Mr. Showell, uncovenanted assistant to the Secretary to Government in the Revenue Department, who, as far as I can remember, told me, that it was suspected that it had been intended by the writer of the letter, that Nursoo Punt should be led to suppose that it proceeded from Mr. J. Morris, 1st Assistant Registrar, Sudder Adawlut, and that Mr. Morris had requested Mr. Showell to show the letter to me, supposing it possible that I might be able to recognize the handwriting.

2. At my request, Mr. Showell left the above letter with me, and I lost no time in showing the same to the Chief Secretary; if the Chief Secretary was in office at the time, I can safely state that I showed it to that gentleman on the same day; but if not, on the day following, on the Chief Secretary coming to office.

3. At this distant period I cannot positively state when the letter in question was shown to me on the above occasion, by Mr. Showell; but I believe it to have been in the monsoon of 1849. My reason for fixing upon this date is, that I remember remarking to Mr. Showell that the letter was several months old when he showed it to me, and I remember that the windows of my office-room were, in consequence of its raining, closed at the time. I am able thus to charge my recollection, as Mr. Showell is not in the habit of frequently visiting me in my office, and probably has not done so more than a dozen times since he has been in the Secretariat.

4. On the 19th July 1850, I proceeded to Ceylon on sick leave, and remained away until the end of December following, and I am confident that the occurrence took place before my departure, and my impression is as above stated, that it was during the previous Monsoon (1849).

Bombay, 24 December 1851.

(signed) *R. Hughes Thomas*,
Uncovenanted Assistant to the Chief Secretary.

(No. 2.)

EXPLANATION by Mr. *T. Rouget*, Uncovenanted Assistant to the Secretary to Government in the General Department.

WITH reference to Mr. Frere's mention of my name as being cognizant of the existence of a note or letter purporting to have been addressed by Mr. Maurice to Nursoo Punt, I beg to state, that all I know of it is this: some time (perhaps about two years) ago, Mr. Maurice showed me the note alluded to, and (I think) asked whether I knew the handwriting. I replied in the negative, having no knowledge of the handwriting; and never having for a moment supposed that it contained anything worthy of notice, I gave the matter no further thought, and it passed from my mind altogether; until a short time ago, Mr. Morris told me that some inquiries had been made, or were making, after the said note. The above is stated on recollection, which, however, is very faint on this subject, as I paid no attention to the note. I cannot say with any degree of certainty whether I read the note through, but rather think not. So far from concealing the existence of the note, on which Mr. Frere seems to lay such great stress, it never occurred to me that there was anything to conceal. The note was not in my possession, it was not addressed to me, nor is it likely to have been written by me; I therefore never gave it a second thought.

24 December 1851.

(signed) *T. Rouget*.

(No. 3.)

To *A. Malet*, Esq., Chief Secretary to Government.

Sir,

WITH reference to paragraph 21 of a letter from W. E. Frere, Esq., "Special Commissioner, Baroda," dated 22d October 1851, shown to me by you this day, and which relates to a letter, signed by "J. R. Maurice," purporting to have been addressed to "Nursoo Punt," I beg leave respectfully to state, that on the occasion, as well as I can now recollect (perhaps two years ago), of calling on Mr. Morris, in the course of a morning walk, he mentioned to me that he had received from Nursoba a letter, bearing the above signature, which he showed me. After reading it, I asked him, as I could not myself identify the handwriting, to allow me to take it to Mr. Thomas, to see if he could trace the writer. Mr. Morris gave me the said letter for the above-stated purpose, and I believe I took it to the office the same day, and showed it to Mr. Thomas, who kept it for, I think, not more than three weeks, when he returned it to me, saying, he had not been able to discover the writer.

Serving, as I do, in a different department, I was, of course, totally ignorant of every proceeding on the records of Government, a knowledge of which would have enabled me to attach importance to the letter in question. I neither had nor could have had any other motive in taking the letter from Mr. Morris for the purpose I have stated, than that of helping in the discovery of the author of such a document. And the indifference with which Mr. Morris mentioned the circumstance to me, left on my mind the impression that he also did not think much of the matter.

It will thus be seen that my first impulse, and on which I acted, was the identical one which Mr. Frere considers should have actuated me; and solemnly assuring Government of the truth of what I have stated, I earnestly hope that so far from allowing my conduct in the affair to be condemned in the terms used by Mr. Frere, his Lordship in Council will be pleased to accord his approval of it.

I have, &c.
(signed) *R. H. Showell*,
Uncovenanted Assistant Secretary,
Revenue and Financial Departments.

Bombay, 5 January 1851.

(No. 4.)

I REMEMBER having a long time since seen a letter called the "Maurice" letter, and as Mr. Thomas had informed me that he had brought it to the notice of the Chief Secretary, I did not consider it necessary that I should do so likewise.

Political Department, 24 December 1851.

(signed) *G. Smith.*

— No. 26. —

MINUTE by the Right Honourable the Governor, subscribed to by the Board.

No. 504 UUU.

I THINK this memo. should accompany Mr. Frere's letter, enclosing his proceedings in Nursoo Punt's case, when such proceedings are sent to the Honourable Court.

(signed) *Falkland.*
J. Grey.
D. A. Blane.
A. Bell.

27 January 1852.

— No. 27. —

From Lieutenant-colonel *Outram*, c. b., late Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

No. 1,121.

Sir,

HAVING learnt from Baroda that the decisions of Government on the several charges on which I was directed to prosecute Nursoo Punt, late Native Agent of the Baroda Residency, have been officially communicated to the Resident, I beg you will do me the favour to convey to the Right honourable the Governor in Council my respectful request, that I may be informed of the opinion formed by Mr. Commissioner Frere on each charge; and of the decisions consequent thereon arrived at by Government. And this request will not, I trust be deemed unreasonable, considering that my official reputation is somewhat concerned in the question, as to how far the charges which I deemed it my duty to bring against that individual were well grounded or otherwise.

I have, &c.

(signed) *J. Outram*, Lieut.-colonel,
Late Resident at Baroda.

Bombay, 30 January 1852.

— No. 28. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

No. 1,122.

I SEE no objection to Lieutenant-colonel Outram being made acquainted with the finding of the Commissioner on each particular charge, and also with the decision of Government on each particular charge; the grounds on which the Commissioner or Government arrived at the decisions ultimately recorded, need not be stated.

(signed) *Falkland.*
J. Grey.
D. A. Blane.
A. Bell.

6 February 1852.

— No. 29. —

No. 641 of 1852.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c. b., late Resident at Baroda, Bombay.

No. 1,123.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 30th ultimo, and to inform you that Mr. W. E. Frere, late Commissioner at Baroda, recorded the following finding

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in each of the seven charges which he investigated, preferred by you against Nursoo Luxmon, late Native Agent at the Baroda residency :

Finding on
Charge I.

I. That except so far as he misled Lieutenant-colonel Outram by leading him to believe that the notoriety of the case was the reason why Sir R. Arbuthnot would not attend the naming of Joetabhaee's child, Captain French has relieved Nursoo Punt of all responsibility, and that there is no further proof of his having been guilty of false or unfaithful conduct in the Joetabhaee case.

Finding on
Charge II.

II. That Nursoo Punt's omitting to notice that the claim for interest was laid at a rate never agreed upon, and founded upon a bond which could not but awaken suspicion, betokens culpable neglect and connivance, for Nursoo Punt's assertion that, when questioned a week afterwards on the subject, he stated that "damdooput" which Government have since granted was all the firm can claim, came, the Commissioner is of opinion, too late to save him, when his report, which ought to have exonerated him, had been condemned, and he had been compelled to produce papers which showed that the claim for interest then urged was to some extent fraudulent, and consequently that he is guilty on the second charge.

Finding on
Charge III.

III. That as the patel's lease which Gorajee Pol made over to Jugjeevun Khandass was still, as far as Gorajee Pol is concerned, valid, there had been no falling off, or diminution of, the Pol's revenues to bring to the notice of his superiors. That Jugjeevum Khandass was at liberty, if he chose, as far as his tenancy was concerned, without subjecting himself to a charge of embezzlement, to release the patels from their engagement, provided he did not injure the village. That the fact of his not having kept the patels to their lease, but managing the village himself, must have been known to Sir R. Arbuthnot, who took no notice of it, and was known to Nursoo Punt, who did not inform Mr. Andrews of it, and that Nursoo Punt's conduct, in not informing Mr. Andrews, appears in a very unfavourable light. That there was no occasion for requiring the Paruk to produce his account; but having been ordered to procure them, Nursoo Punt was negligent in not having obtained them at an earlier period, and that the accounts not having been submitted to him, he is not answerable for any thing connected with them further than the delay.

Finding on
Charge IV.

IV. That there was a dispute between the sons of Gungadhur Shastree and the firm of Bechur Samuldass; that on the 10th May 1845, after other disputes regarding umpires had been disposed of, the arbitrators on the different sides could not agree, and referred some questions to the Resident, and that these questions were answered on the 14th. That among some papers in Baba Nafra's house, relating to that case, a memorandum in his brother, Bulwunt Raos's handwriting, was found, noting that 20,000 rupees had, on the 12th May 1845, been paid to Nursoo Punt, through Asaram Purboodass, and that this sum of money was taken away by Asaram, one of the arbitrators on the part of the firm, to a house in that part of Baroda where Nursoo Punt was supposed to live; but this evidence is not sufficient to insure a conviction on the charge, nor to bring the accusation home to the accused.

The Commissioner is aware, that when a bribe is supposed to have been paid into the hands of a public servant, and no clue has been obtained as to how he spent or disposed of the money, it is hardly possible to establish the charge without the evidence of the payer, or his agent; that evidence is not produced. In this case, the agent being dead, and the gomashas throw the responsibility upon Baba Nafra, while he throws it upon the deceased Bechurdass, and the case was therefore from the first hardly capable of judicial proof. It does not, however, leave Nursoo Punt free from suspicion. There is no ground on which to found the idea that the case has been the result of conspiracy, and Nursoo Punt's name appearing as it has done, coupled with his disingenuous defence, leave painful suspicions on the Commissioner's mind.

Finding on
Charge V.

V. In this case, as in the last, the giver of the alleged bribe not being willing to tell anything about it, and there being no proof of how the money was

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was disposed of, there is not evidence to convict Nursoo Punt of receiving a bribe, but the discovery of the memorandum with his name on it, and the notes in his, or his son's handwriting, with the invocation of his own deity upon them, coupled with the revolution which, about that time took place at the residency, regarding the case of Joetabhaee Setanee, leave the strongest suspicions in the Commissioner's mind that the money was paid to Nursoo Punt, and that he had importuned Baba Nafra on two occasions for it.

VI. The Commissioner arrives at the conclusion that Baba Nafra did, about September 1847, send Joteshwur to Bombay with a view to corrupting certain parties there, and that Nursoo Punt was aware of his sending him, and of the object with which he was sent; but there is nothing to prove that Nursoo Punt was the original instigator to it, or that Joteshwur was sent under the pretence of bribing Mr. Reid.

Finding on
Charge VI.

VII. Upon the whole of this case, then, the Commissioner arrives at the following conclusion :—That Nursoo Punt, when angered by Jeyrow, some time before the 20th November 1848, made an improper use of Mr. Reid's name, that he made a similar use of it to Mr. Hykoop, and Hurreepunt, on or after the 8th January 1849; and about the same time, with a view to the further promulgation of his boast, he had a copy of a letter he had received from Bombay, purporting to come under instructions from Mr. Reid, made by Muncherjee Mehrwanjee, an intimate friend of his rival Baba Furkey, and that Nursoo Punt has not attempted to show that he was in any way authorized to make this use of Mr. Reid's name.

Finding on
Charge VII.

2. After the most careful consideration, the Right honourable the Governor in Council has passed the following decision upon each of these charges :

1st. That Nursoo Luxmon is acquitted on all the counts of charge No. I., as worded by the prosecutor, though from the finding of the Commissioner, it would appear that had the charge been made to include the misleading of Colonel Outram himself his (Nursoo Punt's) entire exoneration on this head might not have resulted.

2d. That Nursoo Luxmon is guilty of charge II.

3d. That Nursoo Luxmon is acquitted of charge III.; but that his conduct with reference to circumstances connected with this charge, is open to animadversion.

4th. That the evidence is insufficient to convict Nursoo Luxmon upon charges IV. and V.; but that considerable suspicion attaches to him upon both these charges.

5th. That there is nothing in the proceedings to implicate the character of Nursoo Luxmon, with reference to charge VI.

6th. That the alleged misuse by Nursoo Luxmon of Mr. Reid's name, embraced in charge VII., has not been established.

3. Nursoo Luxmon having, by his conviction to this extent been pronounced guilty of a betrayal of his official trust in the instance therein specified, as the head native servant of the Baroda Residency, orders have been issued for his removal from the service of Government.

I have, &c.

(signed) A. Malet, Chief Secretary.

Bombay Castle, 11 February 1852.

(True extract).

(signed) A. Malet, Chief Secretary.

25.

Collection No. 3 of No. 19, Bombay Political Department,
Letter from, dated 17 February 1852.

NURSOO PUNT.

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Bombay Castle, }
17 February 1852. }

(signed) A. Malet,
Chief Secretary.

— No. 1. —

No. 61 of 1851.

From Lieutenant-colonel *J. Outram*, c.b., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

Political Depart-
ment.

ON the 31st ultimo I had the honour to transmit to you a report on the case of Joitabae Settanee, second widow of the late Bechur Samuldass of Baroda.

2. From that report it will be evident to Government that the injustice which that unfortunate lady had so long suffered could only have been perpetrated without detection for so long a period through the belief in "khutput," so prevalent amongst the natives of Baroda, which alone could have led the actors in that iniquity to hope for impunity, and induced those who otherwise might have informed against Baba Nafra to suppose that the wicked and wealthy man whom I have now proved to have heartlessly conspired against and persecuted the widow of his late master, would escape unpunished, and still have means to make them feel the effect of his enmity.

3. In my report I further endeavoured to show that the protracted sufferings of Joitabae were primarily due to the malign influence of Nursoo Punt; and that but for this corrupt man's complicity with Baba Nafra the persecution of Joitabae, unopposed, unredressed, uninvestigated, would have been arrested at an early stage, and much of the scandal which has arisen thereby prevented.

4. I do not apprehend that I shall be accused by Government of having in this instance slightly or recklessly assailed the character of Nursoo Punt. On the contrary, I anticipate that Government will mark the displeasure with which they view that man's conduct, by ordering his dismissal from the office of trust he

he now holds; and the object of this letter is to entreat the Honourable Board not to order his dismissal, or accept his resignation, and thereby place him in a position which they might possibly regard as precluding his being visited with any further punishment till they have read the accompanying "Statement of Facts relating to Nursoo Punt."

5. That he merits some very severe punishment is I think established in the accompanying "Statement," and I should fail in my duty to Government did I not unhesitatingly declare that unless they visit Nursoo Punt's conduct with some very severe and striking punishment, it is in vain to hope that the belief in the efficacy of "khutput" will be shaken. Should Government, out of consideration for the man's age and length of service, allow him to escape with comparative impunity, their benevolent motives would be misunderstood; their acts will be misrepresented. The friends of corruption, and those who live by it, will be elated; and vain will be my efforts to trace out and expose their misdeeds.

6. In my report on the case of Joitabae Settanee I hinted that a general impression prevailed amongst the people of Baroda that the difference of the treatment received at the hands of Government by that lady, as compared with the treatment experienced by her persecutor Baba Nafra, was traceable not only to the present pecuniary resources of that bad man, but to past events, and the hold which these give him over high Government officials. I beg now more explicitly to state, that in one of my interviews with the minister that individual made a powerful attempt to dissuade me from prosecuting my inquiries, by suggesting that I did not know the extent of the disclosures that would be made if I succeeded in my efforts. It is the general belief that Nursoo Punt has as many reputations at his mercy as Baba Nafra, and that any clemency shown to the former arises from as impure motives as those on which the friends of the latter rely for the mitigation of his punishment.

7. A perusal of the accompanying statement must, I think, satisfy the Right honourable the Governor in Council that the natives of Baroda, firm believers in the efficacy of "khutput," and personally ignorant of and unable to appreciate the high moral character of European officials, have had strong inducements to believe that they are open to corrupt influences, while no repudiation on my part, unsupported by the acts of Government, will persuade them that they lie under a gross and dishonouring delusion. There is but one means by which they may be undeceived, and that is by the infliction of the most severe punishment on Nursoo Punt, the man through whose means Mr. Reid's name has been so foully abused.

8. Far be it from me to recommend that Nursoo Punt should be made a sacrificial offering for the cleansing away the stain of those sins which have been so falsely attributed to Mr. Reid; far be it from me to recommend that one iota of undue severity be added to his punishment. But I do implore Government to inflict on him the very highest punishment that they think his conduct merits, without reference to his age or his previous services. Age is but an aggravation of crime like his; and former services are neutralized, and their claims cancelled when he who renders them turns traitor to those he pretends to serve, and brings scandal on their names.

9. It of course rests with Government to determine what punishment will be adequate to meet the requirements of Nursoo Punt's case, but I would beg to suggest that he be dismissed with ignominy from the office; that he be proclaimed unworthy to serve Government; that his pension be forfeited; and that the village which had been granted to him for three lives be resumed, and given to some faithful servant of long standing.

I have, &c.

Baroda Residency,
10 April 1851.

(signed) J. Outram,
Resident.

A STATEMENT OF FACTS relating to Nursoo Punt, late Native Agent of the Baroda Residency, and now Dufturdar at Ahmedabad, illustrative of that Individual's Character, and of the part taken by him in strengthening the popular Belief in the Corruptibility of High Officials.

Baroda, 6 April 1851.

ON the 21st July 1843 Hurreelal, the native agent of the Baroda residency, was dismissed the Government service on account of his corrupt practices.

2. Amongst the candidates for the vacant appointment were Venaik Moreshwur Fudkey, whose valuable services and their requital I have had occasion to bring prominently to the notice of Government, and Nursoo Punt, then dufturdar with the Revenue Commissioner at Poonah. The latter carried the day.

3. He entered office with presumptions against him.

4. It was in the first place a very suspicious circumstance that he should resign an appointment in the Deccan worth 500 rupees a month to come to Baroda, proverbially one of the most unhealthy stations in Western India, to fill a situation the legitimate value of which was only 300 rupees a month, but the possession of which had enabled his predecessors to realize vast fortunes by corrupt practices, nor did the explanation of the transaction given by Nursoo Punt tend to divest it of its suspicious features. Even were we to assume the truthfulness of his assertion, that the climate of Goozerat was better suited to his constitution than that of the Deccan, it will, I think, occur to the Right honourable the Governor in Council as something odd, that he did not endeavour to effect an exchange with the dufturdar of Ahmedabad, his native city. Such an exchange could easily have been made, if not on equal terms, at all events by a less sacrifice of income than was necessitated by his transfer to Baroda, if in coming to Baroda he was resolved to confine himself to the legitimate gains of his office.

5. But though the mere circumstance of his changing an appointment worth 500 rupees a month for one legitimately worth only 300 rupees a month, though capable of being made one of vast emolument, was in itself suspicious, it did not afford the only presumptions against Nursoo Punt.

6. Soon after he was nominated to the Baroda native agency, a petition was sent to Government charging him with having accepted bribes in 1831-32 while on a visit to Baroda in the suite of Lord Clare, and intimating to Government that he was connected by family ties with some of the most corrupt men in Baroda, "I further beg to say," proceeded the petitioner, "that Baba Nafrā, agent of Hurry Bugtee, and Gunnesh Punt, furnavese of the Guicowar, who have incurred the displeasure of Government by their misconduct, as also Dadoo Punt, who has been deprived of his office of native agent on account of misconduct, and who has been, through the instrumentality of Bappoojee Annunt Hurgurreea, employed as manager of Gopal Row Myral's firm at Baroda, and several others, are relations and caste fellows of Nursoo." The petitioner further accused Nursoo Punt of having induced Asharam, one of the candidates for the office of native agent, to retire from the contest, on condition of receiving an appointment from the Guicowar.

7. The petition, dated 21st March 1844, was on the 20th April sent by Government to Mr. Remington, then officiating Resident, for his report. It was received on the 24th idem, and on the 1st May Mr. Remington reported on it.

8. In reference to the charge of misconduct alleged against Nursoo in connection with his visit to Baroda in the suite of Lord Clare, Mr. Remington observed, "It is true, as stated by the petitioner, that Nursoo Punt accompanied the suite of Lord Clare during his visit to Baroda in 1831-32, being attached to the office of Mr. Williamson, the secretary in attendance on the Right honourable the Governor. As far as I can learn, no petitions were presented to (illegible) in respect to decisions on the claims of individuals, in which complaint was made of the conduct of Nursoo Punt; and it is rather late in the day to commence them now."

9. Perhaps

9. Perhaps so: though the petitioner had now for the first time an interest in protesting on the subject, Nursoo being now for the first time about to take up a permanent residence at Baroda; and if Mr. Remington had taken the trouble to have the matter sifted to the bottom, he might perhaps have found there was as much truth in the charge of bribe-taking, brought against Nursoo Punt, as there undoubtedly was in the statement that Asharam had been induced to resign the contest for the native agency in behalf of Nursoo, and that he was rewarded for so doing by an appointment under the Durbar. I may here observe that this Asharam, as shown in Appendix (A.), was the person through whom subsequently Nursoo received at least one of his bribes, and that, as a reward for his services, Nursoo Punt, on Asharam's death, persuaded the Guicowar to continue his salary of 200 rupees a month to his (Asharam's) son, a mere child.

10. To the charge of bribe-taking when in Lord Clare's suite, I here, however, attach no further importance than as showing that Nursoo Punt had, at the commencement of his Baroda career, been distinctly accused of corrupt practices; practices an addition to which would afford a satisfactory explanation, the only satisfactory one, of his self-transfer from an appointment worth 500 rupees a month to one of only 300 rupees.

11. As regarded the family connexions of Nursoo Punt with the Baroda traders in corruption, Mr. Remington reported that "one of Nursoo Punt's daughters is married to the son of Venaik Punt, a man who was dismissed for alleged or proved misconduct. It is said that on Nursoo's visit to Baroda in the year 1838, he procured his release from confinement, in which he had been placed by his Highness. He, Venaik Punt, has lately been appointed kamdar at Ookamundul in the room of Wamun Row Withul, respecting whose conduct I have had the honour to receive the instructions of Government, conveyed in your letter of the 6th February last. A second daughter of Nursoo is said to have married a nephew of Venaik Punt. His sister is now married into the family of Baba Nafra, and his own sister is now married into the family of Dadoo Punt, in the service of Gopal Row Myral."

12. Even these were pretty close family ties, subsisting between the new residency native agent, and those Baroda traders in corruption whose villanies and intrigues it was his official duty to aid in frustrating: "Dadoo Punt, in the service of Gopal Row Myral, and Dadoo Punt, one of the ignominiously expelled predecessors of Nursoo, who had been dismissed in 1838, were, I need hardly say, one and the same individual. And Baba Nafra's history, it is unnecessary to detail in this place, having so recently had occasion to expose one of his stupendous villanies, and to show that their success, and the scandal on the British name which that success involved, had been promoted by the collusion of Nursoo Punt, and could not have been attained without his collusion; suffice it here to observe, that Nursoo's family connexion with Baba Nafra was even more intimate than Mr. Remington was aware of, for not only did his niece marry the Baba's son, and his first cousin the Baba's brother, but he himself (35 years ago) married the Baba's aunt.

13. Such, then, were some of the antecedents of the man who came to Baroda, in December 1843, at a voluntarily sustained loss of salary, to the extent of 200 rupees per mensem. But I was ignorant of them. When, in 1847, after nearly 10 years' absence from Guzerat, I assumed charge of the Baroda residency, I found Nursoo Punt in office as native agent, and had never heard a word whispered to his disadvantage. His quiet, unobtrusive, and winning manners impressed me highly in his favour, and I was led to believe that I should find in him a useful and trustworthy man.

14. I had not, however, been long in office, ere I had occasion to suspect him of playing into the hands of Baba Nafra, into whose proceedings, in more than one matter, investigations were then pending at the residency, though I was then unaware that any family connexion whatever subsisted between them.

15. As I have explained in my report on the case of Joitabae Settane, when noticing one of the extraordinary arguments against that lady's pretensions to be a mother, put forth by Captain French, the first thing to awaken my suspicion of

collusion between Nursoo Punt and Baba Nafra, was an attempt to warp my judgment by a gross misrepresentation of Sir R. Arbuthnot's conduct.

16. The suspicions thus awakened, Nursoo did not allow to wear out. A succession of little traits of disingenuousness displayed by him in his daily intercourse with me, tended more and more to inspire me with distrust of him. And at length, though still ignorant of his family connexion with Baba Nafra, all doubts of his treacherous collusion with that bad man were removed by his conduct in other cases, in one at least of which the Baba's interests were directly and deeply concerned.

17. The cases more particularly referred to were those of Govind Row Guicowar, and Gorajee Pole. The former of these involved a false claim on Govind Row for nearly three lacs of rupees; the latter displayed a conspiracy to defraud Gorajee Pole, through the party to whom his estates had been entrusted by the Resident. And this conspiracy bore so strong a resemblance to a similar conspiracy against the same individual, which had been effectually defeated by Mr. Malet in 1837, as to justify the belief that it was a mere repetition of the former attempt of the Baba to ruin the Pole.

18. In the case of Govind Row Guicowar, the native agent had allowed the claim to be prosecuted without expressing to me the slightest doubt of its honesty, and he withheld from my notice the documents in his custody, which proved the iniquitous nature of the demand, though he could not have been ignorant of their existence, for they had, as shown in my reports, been entrusted to him within three years of my inquiry, and it is impossible that documents of so important a nature, disproving, as they did, a claim set up by his relative to three lacs of rupees, could have been forgotten by so careful and methodical a man as Nursoo Punt. In the other case the native agent had connived at the embezzlement of the Pole's revenues, an embezzlement which must have been apparent to him from their rapid diminution, and he had allowed certain leases to be cancelled, without bringing the circumstance to the notice of my predecessor, though well aware that, by maintaining those leases on their original terms, the revenues of the Pole would have been preserved intact.

19. Ceasing to have confidence in Nursoo Punt, and finding that the case of Gorajee Pole was one which no European gentleman could unravel without native aid, I was compelled to seek the assistance of Moreshwur Fudkey,* who had so nobly aided in former years in tracing out the chicanery of the Nagur faction, and who had particularly distinguished himself by unravelling the conspiracy for the ruin of the Pole, which I have alluded to as having been defeated in 1837. The Fudkey at first objected, too truly predicting that, if he did assist me, he would be victimized by Nursoo Punt and his colleagues in corruption, both in the city and the Durbar, in the event of my going away. Little did I then think that his prediction would be verified to the very letter, and that a personal friend of my own, one whom I had ever honoured and esteemed, would, while acting for me in my absence, range himself against the Fudkey, and on the side of Baba Nafra and Nursoo Punt, of whose villainies I had implored him to beware. Little anticipating such an issue, I laughed at the Fudkey's fears, and at last persuaded him to take the case in hand.

20. Most admirably did he acquit himself of the task, and by his aid I was enabled to expose the rascalities of which the Pole had been the victim.

21. In handing up my reports on these cases to Government, it became my duty to notice those traits in the conduct of Nursoo Punt, which had compelled me to seek assistance from the Fudkey. But as Nursoo Punt had served for 30 years, and was, in respect of that period of service, entitled to a pension, I did not seek to press hardly on him. What the interests of my office demanded was, that I should be relieved of his presence; and as he had already applied for permission to retire on his pension, I was in hopes that this object would be
speedily

* This valuable public servant, owing to a report sent in by Mr. Remington, the unfounded nature of which I shall fully explain in an appeal to Government, on which I am now engaged, was, on the 20th March 1844, pronounced by Government "a very unfit person to be employed in any political capacity." This censure was removed on 5th July 1845, Government having on that date authorised him to seek employment from the local authorities on the occasion of a vacancy.

speedily effected. I therefore recommended no punitive measures, and even conceded that what I believed to be the result of dishonesty, might possibly be only chargeable to neglect. In handing up the case of Govind Row Guicowar, on the 31st August 1848, I observed that Nursoo Punt "had neglected to point out to me causes of suspicion which he now acknowledges to exist, and others I have indicated, which, although he does not admit, could scarcely otherwise than have occurred to so shrewd a native as he is."

22. In handing up the case of Gorajee Pole, on the 7th of September, I thus expressed myself regarding Nursoo Punt: "I regret to add that my native agent, instead of exerting himself to arrest the evil which he must have known was going on, has not aided me to the extent that he ought to have done, in bringing the real state of Gorajee Pole's affairs to light, whether caused by apathy and most blameable carelessness, or culpable collusion with the Paruk in the fraud the latter has been carrying on, I am unable to say, and must leave Government to form their own judgment on the evidence I have submitted. But in this case, as in that which I reported on the 31st ultimo, I venture to express my hope that, in consideration of his long services, the most lenient view the circumstances will admit of be taken of the native agent's conduct."

23. Sickness compelled me to leave Baroda on the 12th September, and eventually to proceed to Egypt for change of air. I reached Bombay on the 17th September. On my arrival there, I took every opportunity of personally urging the suggestions previously made to Government, that advantage should be taken of the frauds committed by the firm of Hurry Bhugtee to annul the guarantee enjoyed by it. These guarantees are pregnant with embarrassment and mischief; they are only enjoyed during the "good behaviour" of the parties holding them; their annulment, whenever opportunities occur, had been frequently enjoined on the local Government by the Court of Directors, and I deemed it of the utmost importance that advantage should be taken of the foul frauds practised by the firm of Hurry Bhugtee to carry out, in respect of that house, the wishes of the Honourable Court. Fearful that I might not have stated the case against Hurree Bhugtee's firm with judicial minuteness and lucidity, I made reiterated requests that the case might be gone into before I left for Egypt. I volunteered to afford personally, or in writing, any additional information that Government might deem requisite for establishing the guilt of the accused parties. I pledged myself to substantiate all the allegations contained in my reports. And I offered, if necessary, to postpone my departure for Egypt till the case had been disposed of.*

24. As it was, I prolonged my stay in Bombay from the 17th of September till the 3d November, ready and anxious to supply any information that might be required to complete what might seem defective in my reports, and to clear up what might be regarded as obscure. But unfortunately, the case being then in circulation, it was not known whether any further information would be required of me.

25. Six weeks after my departure Government promulgated a decision, which admitted that the house of Hurry Bhugtee had attempted to defraud a member of the Guicowar family, and one enjoying the British protection, to the extent of nearly three lacs of rupees, but passed over the charges I had brought against the firm of constructive forgery, and withheld the only punishment in its power to inflict, viz. the annulment of the guarantee; and though Government acquiesced in my decision as to the Pole case, and disallowed the fraudulent concealment of leases, by which the value of that individual's property had been so seriously deteriorated, they attached no blame whatever to the native agent, without whose connivance I had deemed it impossible that the frauds condemned by Government could have been effected.

26. Not only did Government acquit Nursoo Punt of all blame, but they severely censured myself for having presumed to express a suspicion against him. And not only did they severely censure me in my absence, on the strength of what

* I should most undoubtedly have delayed my departure had I contemplated what actually followed.

what I consider to be misapprehensions, which I could easily have removed, had I, during my stay in Bombay, been called on to tender explanations, and to correct the misconceptions of Government, but they also expressly declared that it was quite unnecessary "even to require his" (Nursoo Punt's) "explanation on a single point in these transactions."

27. By these decisions Government not only exonerated a public servant, in whom I had reported that I could place no confidence, censured me for recording my want of confidence in him, and authoritatively exempted him from any further questioning on the subject-ground of my suspicions. They also actually invited the man in question to remain in their service, and in occupation of the highest and most confidential post on my establishment; and this they did, moreover, notwithstanding that he himself had sought permission to retire on his pension. Nay, in tendering the invitation, they hypothetically assumed that Nursoo's application for permission to retire might have "arisen from his feeling it impossible to serve under Colonel Outram after what he may consider the unjust treatment he has received at his hand;" and not only so, but Government intimated, as clearly as the English language permitted, that had not Nursoo's applications to retire been anterior to my accusations against him, my "unjust treatment" of that servant would have afforded reasonable grounds for such an application.

28. Such at least I think seems the clear and obvious meaning of the following passage, when viewed in connexion with the general tenor of the despatch, and with the accusation dealt against myself of lightly tampering with the reputation of a public servant. "Had the application of Nursoo Luxmon arisen from his feeling it impossible to serve under Colonel Outram, after what he may consider the unjust treatment he has received at his hands, his Lordship in Council would not object to allow him to reconsider his application, now that Colonel Outram is no longer at Baroda. But such is not the case, as his intention to retire on the completion of his 30 years' service had been previously brought to the notice of Government, from which it is inferred that he has no desire to continue in employment. If, however, Nursoo Punt's services are required by you" (Captain French) "his Lordship in Council will not object to give him the option of withdrawing his application."

29. On the 7th September 1850, I addressed a despatch to Government (No. 207 A.), in which I analyzed the arguments adduced by Government in vindication of Nursoo Punt, and in condemnation of myself. I respectfully, but, as I think, satisfactorily, showed that not one of these arguments was really cogent, being founded on defective information and erroneous assumptions, and I expressed my confidence that this being demonstrated, Government would withdraw their censure and express their satisfaction with my conduct. I wrote, "Such a proof of their approbation I ask, not for my own sake, from no feelings of wounded vanity, from no selfish craving for personal compliment; I ask it with a view to the maintenance of the dignity and moral weight of the office of which I am the incumbent."

30. Government is aware that I was at that time engaged in a most harassing struggle against the deep-rooted corruption of Baroda. It is obvious that at such a crisis any display of their support and countenance must have greatly aided my exertions, and I was the more inclined to hope that the display sought by me would not be withheld, as another despatch, transmitted to Government on the same day, afforded a strong presumption in support of the charge against Nursoo Punt of having boasted alliance with Mr. Reid,—a charge before Government, but of which they took no notice, when they upheld that individual. I thought they would perceive that Mr. Reid's reputation, as well as the moral weight of my office, demanded the display of support which I craved. Under these circumstances, I did not deem it necessary to allude to the fact that some time prior to the consideration of my reports that gentleman received a letter, anonymous, I believe, as such letters generally are, but leaving no doubt from whom it came, intimating to him that it would be to his advantage to secure decisions in support of the firm of which Nursoo Punt's wealthy and wicked relative was manager. But I have now cause to regret that I did not recall the circumstance to their recollection, for not only up to the present day (6th April 1851) has no acknowledgment been made to my exculpatory despatch, but far from receiving one
single

single display of countenance or support from Government, their proceedings have tended to strengthen the belief entertained by the natives of this place that my struggles against the pervading corruption at Baroda are viewed with disfavour and alarm by my official superiors. That they have been calculated to produce the effect attributed to them will, I think, be obvious from the following remarks, the scope of which is to show, not only that Nursoo Punt was a corrupt servant, but that he represented Mr. Reid as being in corrupt alliance with him, and that under the circumstances of the case, the natives of Baroda had plausible arguments to assign for believing him.

31. As I have often reported to Government, the efficacy of "khutput" is an article of universal belief in Baroda; the natives of this place believe that almost every British functionary has his price; and as I shall have reason to show in a report I am preparing on "khutput," an unfortunate concatenation of circumstances, extended over a series of years, has powerfully tended to rivet this creed in their minds. It can therefore scarcely be a matter of surprise that by men holding such opinions the decision of Government on my reports of the 31st August and 7th September 1848, should have been attributed to some corrupt influence, when the circumstances of the case are considered. Amongst the natives of Baroda, the villany of Baba Nafra and the complicity in that villany of his relative Nursoo Punt, with whose antecedents they were well acquainted, were matters of general knowledge and belief. The mere acquittal therefore of the native agent from the charges I had preferred against him, must, to those who knew the man's character, have appeared to savour of khutput, and when not only an acquittal, but the highest compliment in the power of Government to bestow, an invitation to remain in an office of high trust and responsibility, was the result of my representations, the evidence of "khutput" must have appeared to them tolerably strong; and additional completeness must have appeared in the demonstration of "khutput," when it was observed, that though Government had so far confirmed my award as to convict Nursoo Punt's rich and powerful relative of the foulest extortion, it had taken no steps to manifest its displeasure, and had not even noticed the accusation I had brought against him, of having fraudulently substituted one document for another; an act morally if not legally equivalent to forgery. And not uncalculated to confirm their belief that the decision under notice had been obtained through "khutput," was the fact, that though on the 25th November, Government received a petition from Baroda, in which Nursoo Punt was accused of having openly boasted of the impunity which he and his friends enjoyed through Mr. Reid's favour, the petition was not sent to the Acting Resident to have the authenticity of its allegations inquired into till the 4th January 1849, the very day on which Government forwarded its honourable acquittal of Nursoo Punt; its invitation to that individual to remain in office; its declaration that it was "quite unnecessary to require his explanations on a single point in these transactions;" that is, his alleged complicity with Baba Nafra, and its censure on myself for presuming to tamper lightly with the character of a native servant. And in estimating the effect on the native mind of the detention of the petition, it must be remembered, that 21 days after it had been in the possession of Government, and 20 days before it was transmitted to Captain French, Government had communicated to that officer their decision on Hurry Bhugtee's claims;* a decision which not only overlooked the charge of constructive forgery I had brought against the firm, but which, though it conceded that the dishonest bankers had been guilty of extortion to the extent of near three lacs of rupees, made no allusion to my recommendation that the guarantee they enjoyed "during good behaviour" should be cancelled. Nay, further, fully to appreciate the effect which the detention of the petition was calculated to exert on the public of Baroda, we must recollect that though the petition was detained for 40 days, and not sent till Government had given Nursoo a signal manifestation of their good will, another petition which had been sent against Moreshwer Fudkey, evidently from Baroda, by one of Nursoo's and Baba Nafra's party, was on the 21st May 1846 sent to Mr. Andrews for "any remarks he might have to offer," within 10 days after its receipt by Government, it being dated the 8th of that month. This of course was a mere matter of chance; but natives don't recognise chance in such matters, and they were, doubtless, the less inclined to do so in the case referred to, it being known that the person against whom the petition

* Letter dated 15th December 1848, No. 5,249.

was directed, was one who had on a former occasion exposed the villany of Baba Nafra as faithfully as he subsequently exposed that of Nursoo Punt, sowing thereby the seeds of the persecution that were to overtake him so soon as my back was turned.

32. I subjoin portions of the petition, and when its allegations and the several facts enumerated in the preceding paras. are taken together, it will, I think, be admitted that the people of Baroda had grounds for belief that some influence had been exerted to keep it back till Government had, by its censure on myself and its compliment to Nursoo, effectually deterred the author from avowing himself, and thus placed the native agent in the position of a deeply injured and cruelly maligned man. "About two months ago Colonel Outram discovered some rogueries of his (Nursoo Punt's) treacherous acts, and he being afraid that all would come to light and prove his ruin, begged pardon, and applied for pension. This rejoiced all the people of Baroda, excepting a few who used to give him bribes, and got him to do their business. However, he now openly says, 'I have the support of Mr. Reid, the councillor. I have forwarded to him a petition, together with a memorandum of Kullumbundee (parāgraphs of instructions or information); as my friendship with him is of a secret nature, he will protect me from the consequences of any crime; even Outram's father cannot injure me, what can others do then? I shall apply for a pension whenever I like; no one can read the further representations of the parties whom I have injured. Although the charge of murder was proved against Baba Nafra, karbary of Hurry Bhugtee, I did not allow even a hair of his body to be injured; on the contrary, I have made the widow of Hurry Bhugtee to go about begging.* In like manner I will ruin the persons who have been rejoiced by the hope of my leaving (the situation). Gunesh Punt and Baba Nafra are my relations, and consequently I have full means (to work) with the Gaekwar Government. Therefore I am not afraid of anything; I shall spend as much money as may be necessary to secure the assistance of European gentlemen at Bombay, and shall continue to hold this situation.' These proceedings of his have frightened the people. I am fully confident Mr. Reid will not stain his character for uprightness known throughout India by supporting such (a) corrupt man. I beg to assure Government that if this native agent be suspended from office, and an inquiry instituted, his fraudulent and corrupt conduct will be proved."

33. The petition from which the above extracts were taken bore a fictitious signature; but though Government may have suspected this, inasmuch as natives rarely give their real names in such cases, this could hardly have been the cause of its detention, when they virtually ignored its existence; and even had Government been duly apprized that the signature to the petition was a fictitious one, it is not inconsistent with precedent, or at all unusual, to investigate the charges contained in anonymous or fictitiously signed petitions.† The petitioner offered to substantiate all his allegations, provided Nursoo Punt were temporarily suspended from office; that he really intended to do so, is apparent from his having come forward when Nursoo ceased to be native agent, and while Nursoo Punt remained in power he might well dread the wrath of him and his relative Baba Nafra.

34. I am sure that Government will view with the same feelings as myself, the fact that Nursoo Punt displayed throughout camp and city the following letter received by him from, or professing to come from, Mr. Morris, who I had been told, though I now find erroneously, was a private clerk or secretary to Mr. Reid:—

"The Honourable Mr. Reid desires me to inform you that your petition, dated the 18th September last, has been received by Government, and after carefully reading it, and taking into consideration your services for 30 years, Mr. Reid wrote a minute strongly recommending your case to the merciful consideration of Government. Accordingly an order will be issued in a few days to Captain French, desiring him to tell you, that as Colonel Outram is
gone

* He had indeed prevented a hair of Baba Nafra's body being injured, and, as Government are now aware, he did make the widow of Hurry Bugtee ("Joitabae") go about begging.

† Such was the one against Baba Fudkey, previously adverted to as having been forwarded for report within 10 days of its receipt by Government.

gone from Baroda, if you wish to continue as native agent, Government will have no objection to your withdrawing your application for pension. Captain French will also be informed that Baba Fudkey is not to be allowed to have anything to do with Government business.

"Mr. Reid says, when he goes out of Council he will recommend you to the protection of Mr. Willoughby, but that you should be very careful how you conduct yourself; you must not on any account allow your private feelings of enmity against Baba Nafra to interfere with the business of the house of Hurry Bhugtee at the Residency. That firm is an old firm, and in consideration of the services which that firm rendered in former years to the Gaekwar Government, the Bombay Government treats them with respect, and though Colonel Outram strongly recommended that their bhandaree should be cancelled, still by the favour of Mr. Reid and Mr. Willoughby this has not been done, therefore you must not try from bad feelings to injure that firm.*

"3 January 1849.

"Yours, &c.
(signed) "J. R. Morris.

"P. S.—Keep the contents of this letter secret, and as soon as you read it write an answer to me, and thank Mr. Reid for his kindness to you. Address me by post, Mr. J. R. Morris, at Mr. Reid's house, Bombay."

35. There is much in this letter that demands attention. It seems that as soon as my back was turned, six days after my departure from Baroda, Nursoo Punt sent in a petition to Government intended to neutralize the effect of my strictures on his conduct. This petition must have reached Bombay on the 21st of September; not only did I remain there till the 3d of November, but I was frequently importuning the secretaries to dispose of the cases, in reporting on which, I had passed strictures on Nursoo, and yet not only was the petition never shown to me, but its existence was never so much as hinted to me. That in keeping it from my knowledge, Government were actuated by the purest motives and by a regard to my feelings, is of course certain. But it is very unfortunate that my feelings, or any other consideration, were allowed to prevent the petition being submitted to me.† For the allusion to it by Mr. Morris was painfully calculated to impress the minds of the people of Baroda, that more confidence was placed by Government in one the people knew to be a rogue, than in a British gentleman who had served the Government faithfully for 30 years, and whose name had never been coupled with any transaction of questionable character. Having a strong suspicion that the petition of the 18th September dealt in untruthful charges or insinuations against myself, I applied to Government on the 11th January last for a copy, in the following terms:

"It having come to my knowledge that a petition from my late native agent, Nursoo Punt, dated 18th September 1848, was received and taken into consideration by Government, when the cases submitted by me on the 31st August and 7th September of that year, Nos. 209 and 215, to which it had reference, were before Government, I trust I shall not be considered unreasonable in soliciting the favour of being furnished with a copy of that document, which does not appear to have been communicated to this office, as it could only have reference to my official proceedings in the investigation of the cases alluded to."

36. The answer I received was as follows, dated 8th February:—"I am instructed by the Right honourable the Governor in Council to acknowledge the receipt

* It will be observed this is not a copy of the original, but of a copy which was shown to me at Baroda.

† I have already observed that I expressed my readiness to defer my departure for Egypt, to enable me to afford Government such additional information regarding my reports as they might think necessary; and had I been aware that Nursoo Punt had petitioned to be heard in his defence, I should, most assuredly, have remained till that defence had been disposed of. He had never hinted to me that he had any defence to make, beyond the explanations offered to me, which were handed up with my reports. He never volunteered one to me. If he had offered me a mendacious one, I should myself have investigated it; and in bringing his conduct to the notice of Government, I should have drawn attention to his impenitent persistence in dishonesty, and have invoked punishment on him. Deeply therefore do I regret that Government should have allowed me to remain in ignorance of the petition of the 18th September during the six weeks that elapsed between its receipt by them and my own departure for Egypt; had they brought it to my notice, much suffering might have been spared to Joitabae Setanee, and much obloquy averted from Government.

receipt of your letter, No. 11, dated the 11th ultimo, requesting to be furnished with a copy of a petition forwarded to Government by your late native agent, Nursoo Punt, on the 18th September 1848 : "In reply I am deesired to state, that as it was not at the time considered necessary to forward a copy of this petition to you, and as the petitioner merely requested that he might not be condemned without being heard in his defence, His Lordship in Council considers it unnecessary to furnish you with a copy of the petition."

37. Mr. Morris's letter, it will be observed, is dated 3d of January, the day preceding that on which Government sent to Captain French its honourable acquittal of Nursoo Punt, and the decisions contained in the despatch which conveyed that acquittal are accurately described by Nursoo's correspondent—the passing over my recommendation that Hurree Bhugtee's guarantee should be annulled, and the censure passed on myself for having employed Moreshwer Fudkey to trace out the frauds in which Nursoo was in collusion.

38. Government have been made aware by more than one of my reports, that it was part of the tactics of Nursoo Punt to affect a personal hostility to Baba Nafra while zealously promoting his interests ; and they will observe that the same trick was carried on, and with the same object, in his correspondence with those who chose to represent themselves as Mr. Reid's confidants.

39. The intimation thus conveyed by Nursoo's correspondent, that Mr. Reid was the author of the minute on which the Government decision had been founded, must have received ready credence from those who found that the decision of Government was in exact accordance with the terms of his letter ; and there is nothing, as Government are well aware, relating to Baroda matters that takes place in the secretariat, that does not find its way to this place, just as there are no matters of importance transacted in my own office that don't find their way to the city of Baroda, and to the Bombay friends of the Baroda traders in corruption.

40. From the turn which matters have now taken, it will I think be matter of regret to Government that there was no condemnatory allusion to the letter which I have previously alluded to as having been sent to Mr. Reid, intimating to that gentleman that it would be to his advantage to secure decisions in support of that firm ; such an allusion would have greatly facilitated my recent inquiries, and would have enabled me to assure the natives, with some chance of being believed, that the decision of Government was arrived at in spite of, and not in consequence of, the absurd but wicked attempt to corrupt a member of Council.

41. Another circumstance calculated to strengthen the belief that it was through Mr. Reid's agency that the Government decisions under allusion were obtained, is the fact, of which Government have long been aware, that Nursoo's relative, Baba Nafra, did actually send an emissary to bribe that member of Council, and that the emissary in question actually paid away large sums, which he believed, or pretended to believe, to have reached Mr. Reid's hands.

42. I shall be pardoned for having referred to this subject, since the proceedings of Government in respect of it have been grievously misunderstood by the natives of Baroda, and have been attributed to anxiety to screen Mr. Reid, and to throw obstacles in the way of my investigations ; and after what has been already said regarding the universality in this place of the belief in "khutput," and regarding the circumstances which recently tended to strengthen that belief, it can hardly be a matter of surprise that the proceedings and motives of Government should have been misunderstood.

43. Another argument in aid of the misrepresentation concerning the motives of Government was supplied by the fact, that though Government, in acknowledging my letter of the 7th September, took no notice of the matter in which Mr. Reid's name had been misused, comprised in Appendix (H.) of the same letter, nor of the depositions which confirmed Joteshwer's statement that he had been sent to Bombay at the instance of Nursoo Punt, it summarily disposed of other documents sent along with these depositions, criminating Nursoo Punt. These documents formed Appendix (J.) of my letter, No. 207 B. of the 7th Sep-
 tember

tember. They afforded confirmation of all that had been urged in the petition accusing Nursoo Punt of boasting of Mr. Reid's countenance, the ignorance of which, till after Government had acquitted Nursoo, I had occasion to allude to in paras. 32 to 34, as being calculated to confirm the prevalent belief in "khutput."

44. In handing them up, I observed, "The Appendix (J.) comprises examinations taken in consequence of the author of a petition, purporting to be written by one Venaik Dhoudey Ubhyshunker, which was transmitted to the late Acting Resident with your letter, dated 4th January 1849, having come forward to avow the authorship, and to offer to substantiate all that is therein advanced. From the circumstance of this person, Jeyrow Hybutrow, having appended a fictitious name to his petition, bearing a notoriously bad character, and even avowing enmity to the late native agent, I should not have regarded the representations in his petition as worthy of a moment's consideration, had they not been borne out to a considerable extent by the evidence of the four persons who were present on the occasion of the dispute therein referred to, with whom it does not appear possible he could have collusion, and had I not other causes for believing that most of what he has since advanced is susceptible of proof."

45. And the reply of Government was as follows: "I am directed to acknowledge the receipt of your letter, No. 207 B., dated the 7th September last, with enclosures, forwarding translations of the depositions taken before you of Jeyrow Hybutrow and others, with respect to the conduct of your late native agent, and to inform you that the Right honourable the Governor in Council deems it unnecessary to take any further steps in the matter."

46. And in making known this reply to Nursoo Punt, to Baba Nafra, and the other dealers in corruption, the traitors in my office doubtless reported with triumph, that while the only notice taken of my letter 207 B. was an indirect prohibition against prolonging my investigation into Nursoo Punt's conduct, no answer was afforded to, not even a simple acknowledgment given of my letter 207 A. of the same date, in the accompaniment to which I had respectfully protested against the arguments, on the strength of which Government had on the 4th January 1849 honourably acquitted Nursoo Punt of the charges I had preferred against him, censured myself for preferring them, and invited the man in whom I had officially recorded my want of confidence, to continue to occupy the most confidential post in my establishment.

47. As Government did not assign any reasons for so summarily disposing of the Appendix (J.) of my letter of the 7th September 1850, I am of course unable to explain away their objection to it; I am, however, inclined to think that an idea of collusion was suggested by the similarity of the depositions of those who declared they had heard Nursoo Punt speak as was alleged in the petition referred to above; should such a view have been taken by Government, I would beg to observe, that the men all deposed to simple fact, and that their depositions were all taken down by the same clerk, circumstances fully accounting for a close approximation of language, if not for identity. Further, the depositions of the different persons sent with Hybutrow to summon the parties, and the difficulty he had in pointing them out, with other circumstances detailed in their examinations, tended to show that there was no collusion or even previous acquaintance between them; and I would respectfully beg to observe that the depositions contained in the unnoticed Appendix (H.) of the same letter, referring to Nursoo Punt's complicity with Baba Nafra in the Craig affair, bore no trait of having been in collusion with the men whose depositions were given in Appendix (J.). I would also beg to remind Government that I professed to have other causes for believing "that most of what the petitioner had since advanced was susceptible of proof." These causes I was prepared to assign, had Government told me they considered the evidence submitted to them unsatisfactory; and these causes I should have stated in my letter of the 7th September, had it for a moment occurred to me that Government would consider my despatches insufficient justification for instituting a rigorous inquiry into a matter so painfully connected in the public mind with one of its own members, and with the late native agent; such an inquiry was all I wanted, and I abstained, from motives of delicacy, from saying more than I thought was necessary to induce it.

48. When due weight is given to the cumulative effect of the various facts recited in the foregoing pages, it will, I think, be conceded by the Right honourable the Governor in Council, not only that Nursoo Punt has prostituted the name of Mr. Reid, but that the votaries of "khutput" in Baroda have plausible arguments with which to justify their belief that that gentleman was improperly connected with Nursoo Punt and his wealthy relative Baba Nafra.

49. And when to the facts recited is added the conduct of Nursoo, in the case of Joitabae Settanee, conduct which shows that my first suspicions were correct, and that, from first to last, he was in collusion with Baba Nafra, I think I have said enough to show that the late native agent has not only forfeited all claims to the consideration of Government on account of former services, but that he has merited the severest punishment in the power of Government to inflict; and that any clemency shown to him will be regarded by the natives of Baroda as additional and conclusive proof that the reputation of Mr. Reid and others is so completely at his mercy, that he does actually enjoy the impunity he was wont to boast.

Appendix (A.)

50. As illustrative of the character of this man, I beg to refer to Appendix (A.) of this Report, in which there is evidence of the fact that he did receive at least one bribe of 20,000 rupees from Baba Nafra.* And I would press on the consideration of Government, whether the belief be not inevitable that Nursoo was a participator to a much more considerable extent in the four lacs of the funds of Hurry Bhugtee† which Baba Nafra had appropriated, and scattered, as secret service money, during the last four years, as well as in the jewels abstracted from the treasury of the firm,‡ many of which popular opinion refers to the possession of Nursoo's Presidency friends. That Nursoo Punt did participate in the property abstracted from the bank by its unfaithful steward, has been practically confessed by Baba Nafra himself. That individual, hoping thereby to obtain a diminution of his punishment, offered to reveal the names of several European officials, with whom he professed to have made "khutput," and to afford me the most conclusive evidence of their guilt, provided I would allow him to keep back the papers which showed his transactions with other European officials, and with his relatives Nursoo and Ghunesh Punt. His overtures were rejected, and are not likely to be repeated, as the encouraging accounts received from his Bombay correspondents lead him to believe that some excuse will be found for ordering his release, not perhaps immediately, but so soon as sickness or any unforeseen occurrence shall remove me from Baroda.

* In the year 1845.

† As proved by the books.

51. For the length of this Report I deem no apology necessary. Ever since I perused the elaborate despatch in which Government acquitted Nursoo Punt of the charges I preferred against him in 1848, I have felt it to be my duty, a duty to Government, to myself, and to those whose cause I plead, to endeavour to prove every assertion I make, to anticipate every objection which I think can possibly occur to the members of Government, and to leave as little room as possible for assumption and conjecture.

52. For the want of more direct and copious proofs of the guilt of Nursoo Punt, I have to plead as my apology the all but insuperable difficulties I have had to encounter in my various investigations. These difficulties arise in part from the fact that the leading men in the city, and in the Durbar, are more or less criminally connected with Baba Nafra and his kinsman Nursoo Punt; and, in part, from the fact that all are, more or less, interested in perpetuating the system of "khutput," which it has been the object of my investigations to upset. But the principal source of the difficulties I have had to overcome, arise from the conviction, deeply rooted in the minds of all, that I am working against Government, or rather, that Government is working against me; and it is in the hope of the aid of the Honourable Board in uprooting this conviction that I have now given a connected *resumé* of the case from the beginning.

53. In the foregoing pages I have said enough to show that the natives of Baroda have very plausible arguments to assign in behalf of this belief. But
in

‡ Supposed to an enormous value; a matter now under investigation.

in the foregoing pages I have not enunciated all the plausible arguments at their command, as will be seen by a reference to one or two of my despatches not alluded to in the previous portion of this statement.

54. Thus, on the 22d of June 1850, I reported on the case of Venaik Moreshwur Fudkey, whom I pronounced to have been victimized in consequence of the valuable aid rendered by him to British officers, in exposing the corruptions of the Nagur officials, and those with whom Nursoo Punt had been in collusion. I showed that he had not forfeited his claim to be considered a British subject, as Captain French had erroneously asserted and attempted to prove, by applying to him a quotation from a letter of Mr. Willoughby's in reference to a different individual. I showed that his victimization had been promoted by Captain French, whom I proved to have been played upon by Nursoo Punt, and I begged permission to be allowed to investigate the Fudkey's claims. But the only reply vouchsafed to me was, a curt intimation that "his Lordship in Council sees no reason whatever for your (my) interference between that individual and his Highness the Gaekwar." I need hardly say that this reply afforded a plausible argument to Nursoo's friends, wherewith to substantiate their boasts of improper influence at the Presidency, when addressing men who well knew their villany, and well knew how the Fudkey had been victimised by them.

Then, again, on the 30th July 1850, I addressed a report to Government, in which I proved at some length the fraud committed by the firm of Hurry Bhugtee in the Govindrow Gaekwar business, but which the Government had, in its despatch, passed over in silence; and in doing so, I again reiterated my request, that the guarantee should be cancelled. To this letter Government gave me no reply till the 2d of January 1851, when I was informed that "the decision of Government in this case will be deferred, pending the receipt of your (my) report regarding the conduct of Baba Nafra, the managing goom-ashta of that firm."

The Baroda traders in corruption know perfectly well that the two cases had no connexion; that the fraud was a crime perpetrated by the Baba, as official representative of the firm, for which the firm were responsible, while the charges against the Baba, my report regarding which was looked for, were charges against him as an individual, of having fully conspired against the reputation and happiness of one of the proprietresses of the bank, the wealth of which he was squandering. Had Government taken advantage of my letter to cancel the guarantee, and to express themselves strongly on the subject, and had they taken similar advantage of my letter of the 11th July 1850, which convicted Baba Nafra of having offered a bribe of 20,000 rupees to my new native agent, with a view to secure his services during the then pending Joitabae investigation, my difficulties would have been diminished; for some slight shock would have been given to the belief in "khutput," whereby the truth would have been rendered less difficult of access. But Government abstained from giving me any token of its countenance, and this, coupled with the other incidents previously adverted to, tended powerfully to rivet the mistaken belief so industriously inculcated by the friends of corruption, that my investigations were a source of displeasure and alarm to the Bombay Government.

I shall only mention one more illustration of the manner in which my difficulties were augmented; I allude to the case of Mr. Andrews; that gentleman not only gratuitously insulted me, and persisted in so doing, after I had explained the unreasonableness of his conduct; but he persisted in presenting the remarkable spectacle of a British judge urging the most frivolous pleas in behalf of public servants suspected of corrupt practices; and not satisfied with this, he adopted the unprecedented plan of detaching the sheristedar of his court from his legitimate duties, and sent him to Baroda, to a foreign jurisdiction, to hold an investigation independent of myself. This man not only spoke in a most insulting strain respecting the Gaekwar and me, but he intimidated his Highness's subjects by threats to drag them into Mr. Andrews' court at Surat. He proclaimed that a commission would be sent from Bombay to upset all my decisions, and he compassed a conspiracy against my new native agent and myself; and further, on his return to Surat, he indulged in misrepresentations, the falsehood of which was proved by the declarations of the Durbar, my native agent, Mr. Battye, and myself.

* 6 April 1851.

In reporting these circumstances to Government on the 16th December 1850, I begged that, besides the infliction of some punishment on the sheristedar, Government would do something to uphold my authority and official status, which Mr. Andrews and his sheristedar had brought into contempt by emphatically condemning the mission of this individual, and requiring from him (Mr. Andrews) an apology to his Highness and myself. But up to the present time* Government have taken no notice of my request. The honourable Board have doubtless good and satisfactory reason for their silence; but as none such are apparent to the public of Baroda, that silence is attributed, by the traders in corruption, as indicating a determination on the part of Government to withhold from me all aid and countenance; for the sheritedar's mission and conduct must appear to them matters not requiring, for their adjudication, the previous decision of Government on the complaint I made against Mr. Andrews.

In conclusion I have only to express the deep pain which it has cost me to commit to paper the results of the proceedings I have alluded to. Those proceedings have been misunderstood and misrepresented, and as these misunderstandings and misrepresentations are productive of the saddest consequences, I am sure Government will deem that I should have failed in my duty, had I not spoken undisguisedly; and I trust that Government will not, as in 1838, consider itself above, and pronounce itself indifferent to, public opinion. Such was the purport of their reply† to a letter in which, 12 years ago, I spoke as follows‡:

† Letter dated
11 Oct. 1838.
‡ Letter dated
7 April 1838.

“The character of Government, I am now called upon by a sense of duty and honour distinctly to declare to you, is very seriously and generally called in question by the natives in this country, in consequence of the misinterpretation to which the late acts of Government, connected with the prosecution of the Political Commissioners' establishment, both at Ahmedabad and Baroda, are liable, misrepresented as they doubtless have been by the accused, whose interest it is to deter the timid from coming forward against them, by encouraging an impression that there is a leaning in their favour on the part of Government.”

What I said in 1838 it is my painful duty to reiterate in 1851, and I beg most respectfully, but most earnestly, to repeat at the present day, the request then preferred, that, “the opportunity should be taken for distinctly expressing its most unqualified disapprobation of, and determination to uproot, the system of bribery and corruption which has so long pervaded the native establishments in the political department throughout Guzerat, by the punishment of all who, as in this instance, participated in such iniquities, or assisted in screening§ the offenders.”

Government did not then see fit to adopt the primitive recommendations made by Mr. Sutherland, Mr. Malet, and myself; their clemency, as I anticipated and predicted, was misunderstood; and after a lapse of 12 years, the natives of Baroda, far from “seeing that its object is alone to do justice,” which, “being seen,” the then Chief Secretary anticipated “the honour of the British name will be amply preserved, and the proceedings of Government amply appreciated,” are more firmly wedded than ever to the creed which teaches the efficacy of “khutput;” and are more than ever convinced of the corruptibility of the highest British functionaries.

POSTSCRIPT.

Baroda Residency, 10 April 1851.

1. The foregoing statement was ready for the copyist on the 5th instant. Two days afterwards the committee appointed to examine the treasury of the firm of Hurry Bhugtee, with a view to ascertain the amount of treasure and jewels feloniously abstracted by the late managing goomashta Baba Nafra, discovered some papers concealed in a silver lota; amongst these papers were three documents tied up together in a piece of cloth. One of these was a memorandum in the

§ In the cases referred to in the present statement, the screeners and confederates were identical. All the confederates were engaged either in screening Baba Nafra or in plundering him, under the plea of obtaining for him the corrupt alliance of English gentlemen. Nursoo Punt, alone, united the two characters of screener and plunderer, and the functions of both these characters he discharged with great sagacity and wonderful success.

the handwriting of Baba Nafra's brother, Bulwunt Row, of which the following is a literal translation :

" Memorandum of the sum expended in the month of Ashwin Sumvut 1904. (A. D. October 1848).

" On Vud 8th (19th October), of which, Vud 9th (20th October), by chit for Rs. 78,070, from which amount given to Nursoo Punt Tatteeah, on account of the dispute about the boy, as under.

" 5,000 and 23,070 = Rs. 28,070."

2. Enclosed within this memorandum were two notes, in the handwriting of Nursoo Punt, but unsigned and undated. Literal translation of these notes are as follows :

1st. " Shree Nur Hurree" (name of deity). " The object of my present writing is, that agreeably to agreement, the amount has not been received here. To act thus is not proper on your part. This is my petition."

2d. " Shree Nur Hurree. Up to the present time the whole of the amount has not been received, which does not redound to your greatness. This is my prayer."

3. In Appendix (B.) will be found an extract from the proceedings of the committee appointed to examine the Hurree Bhugtee treasury, descriptive of the circumstance under which the documents in question were found, of the steps taken to prevent their being tampered with by sealing them up, and of the procedure of the committee, when next day they assembled to re-open and peruse them in my presence.

4. On the evening of the day on which the documents referred to were discovered, it was reported to me by the native agent and Shumbhooram Kotwal, when they delivered to me the packet containing them, that not a doubt existed on the minds of the committee, or of the goomashtas present, that the memorandum was in the handwriting of Bulwunt Row, and the notes in that of Nursoo Punt; and I was informed that Venaik Appah, one of the members of the committee, and a near relation of both Nursoo Punt and Baba Nafra, had been constrained to acknowledge that these were undeniable facts.

5. When, however, the committee came to the Residency next day to examine the documents, they affected to find much difficulty in comparing them with other papers placed before them, undeniably in the handwriting of Bulwunt Row and Nursoo Punt. Finally, however, they decided that the memorandum corresponded with other specimens of Bulwunt Row's handwriting, and that one of the notes (that which alluded to the " agreement") was in the handwriting of Nursoo Punt.

6. I have since ascertained beyond a doubt that both notes are in one and the same handwriting, and that that is the handwriting of Nursoo Punt. When I mention that two of the members of the committee were members of the punchayet appointed to try Baba Nafra, when I call to the recollection of Government the disgraceful artifices by which that punchayet endeavoured to screen Baba Nafra's villainy, and when attention is given to the fact, not only that Nursoo was the Baba's relative and retained abettor in the Joitabae's affair, but these documents, if their authenticity were established, were in themselves utterly damnatory of Baba Nafra's cause,—it will, I think, be understood why the court were so loath to admit the authorship of the papers.

7. The memorandum above quoted shows that 28,070 rupees were part payment of a sum of 78,000 rupees, " on account of the dispute about the boy;" and the chopras of the firm show that the latter sum was debited on the 19th-20th Oct. 1848, under the handwriting of " Lutee Khota" (blank), as most of the items of bribery expenditure are recorded in the books of the Hurry Bhugtee firm.

8. I have reason to believe that the whole of this sum of 78,000 rupees, not merely the item of 28,070 rupees, reached the hands of Nursoo Punt; but I am inclined to believe that the greater portion of it was obtained by him under pretext of its being required for the corruption of British officials.

9. On the 19th October I was in Bombay, about to proceed to Egypt. My successor had not been nominated; and though, doubtless, Nursoo expected great rewards for deceiving and betraying the new officiating Resident, he would hardly have been so importunate in his demands on this score. His notes

clearly refer to value promised for past services, or to money required for present urgent purposes.

10. If to the latter, it is not an unnatural or unwarrantable hypothesis to suppose that some of the money was ostensibly demanded for the purpose of bribing his Bombay friends; for though I believe him to have largely partaken in the wealth fraudulently abstracted by Baba Nafra from the house of Hurry Bhugtee, I can hardly believe that, at that early stage of the Joitabae affair, while yet the issue was in the last degree uncertain, Baba Nafra would have given him such enormous personal fees. It is far more probable that the bulk of the money was given under the idea that it was to be transmitted to the powerful friends of Nursoo, to whom he boasted of sending a "memorandum" of "Kullumbundee," and whose friendship with him he declared to be of a "secret nature."

11. But it is immaterial whether the greater portion of the 78,000 rupees were ostensibly for Nursoo Punt himself, or for his Bombay friends; nor does it signify whether the 78,000 rupees, or only the smaller sum of 28,070 rupees passed into or through Nursoo's hands. The mere fact of there being a pecuniary transaction in reference to "the dispute about the boy," is itself sufficiently conclusive against the man; and his prostitution of Mr. Reid's name, and the scandal he has brought on the character of the Bombay Government, have already been too fully illustrated to require that I should, so far as Nursoo Punt is concerned, enter into any further investigation connected with the documents now under notice, or those along with which they were found.

12. It is enough, in conclusion, to observe that, should the papers found in the Hurry Bhugtee treasury, or others hereafter to be discovered, implicate other parties whose conduct Government are entitled to scrutinize, the circumstance shall be duly notified.

(signed) J. Outram,
Resident.

Appendix (A.)

R E P O R T.

Baroda Residency, 6 April 1851.

A PRIVATE memorandum was, on the 31st July 1850, found among the private papers of Baba Nafra, moonim goomasta of the firm of Hurree Bhugtee, of which memorandum the following is a translation.

Translate of a Memorandum, dated Sumvut 1901 (A. D. 1845).

Dr.

Cr.

Ready cash from the firm of Paruk Hurree Bhugteedass by Hurree Khidmutgar. On Vysack Sood 6th (A. D. 12 May).	Kurch Khata, By ready cash paid to Asharam Purboodass for Nursoo Punt Sattia, Rs. 20,000
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2. This led to an inspection of the books of Samul Bhugtee. In the "Khurda," or "Rojmail," of which the following entries were found; the 20,000 rupees item, being, it will be seen, entered as "Seetee Khata" (blank), and carried on from year to year, as is the custom with this firm to enter sums paid for the benefit of the firm, as bribes to those pledged to forward its interests in a pending suit, on the final decision of which the money is struck off, if the cause is gained, or refunded, should it be lost.

3. From the following entries it will be observed, that the first payment was in 1845, corresponding in date with Baba Nafra's private memorandum, which discloses the fact to whom the money was paid; and that the item has continued to be debited as "Seetee Khatee" annually, up to the present time. This denotes that some important suit, involving the interests of Hurree Bhugtee, was about to come before the British Government, in which it was hoped to influence the Resident through his native agent, Nursoo Punt; but that, up to the date of the last entry (1850), the case still remained unsettled. Such a suit I find was pending in 1845, between the sons of Gungadhur Shastree and Hurree Bhugtee involving a claim between the parties of nearly 14 lacs of rupees; and I further find, that on the 18th April 1845 (one month previous to the payment of the money), the Chief Secretary to Government communicated to the officiating Resident its decision that in nominating a punchayet to decide the dispute, the Guicowar should have "no voice in selecting an umpire," and that "the most advisable plan, in the opinion of the Governor in Council,

is

is to allow the punchayet to meet, and if they cannot settle the points at issue, for Government to decide the points at issue, or hereafter to appoint an umpire for that purpose." This decision virtually placed the settlement of the case in the hands of the Resident, and rendered it well worth the while of the firm to purchase the influence of Nursoo Punt, if even only to secure it from being exerted on behalf of their opponents, for they could not but believe that the confidence and trust reposed in that individual must have considerable weight with the Resident.

4. It will be seen, moreover, that on the 26th May of the following year, a sum of 500 rupees was debited as paid to Meer Surfraz Ali, which entry also has been continued up to the past year; there can be little doubt this was a similar retaining fee for the influence of the Meer, which was supposed to be great with the then newly appointed officiating Resident, and might prove useful in support of the exertions of Nursoo Punt. This entry is not "Seetee Khata," however, for Meer Surfraz Ali being a subject of the Guicowar, who, as a partner in the firm, was equally interested in the success of the suit, the same necessity did not exist for the concealment of his name as the recipient of money from the bank, that there was in the case of Nursoo Punt, a servant and subject of the British Government.

5. It will be in the recollection of the Honourable Board, that the case here referred to continued under discussion until the final determination of Government "that the British Government should exercise no further interference between the parties than is requisite to prevent them from molesting each other until the members of the firm specifically prove, in the manner pointed out in the 4th and 5th paras. of Mr. Boyd's letter of the 28th October 1839, that the shastree's sons are in equity bound to pay three and a half lacs, or any portion of the 14 lacs above alluded to," communicated to Captain French by the Chief Secretary on the 21st September 1849, and confirmed by the Court of Directors, as communicated to me on the 28th May 1850, No. 2,494.

TRANSLATED EXTRACT from the Khurda, a Rojmail Chopras of Samul Bhugtee Firm, for Sumvut 1901 (1845), Leaf 85.

Cr.

Dr.

Vysack Sood 6th, (12 May)	- Rs. 20,000
Paid by ready cash through	
Kidmutgar Hurreea	20,000
rupees.	<i>Vide Howra, leaf 27.</i>

Extract of the Fifth Entry from the Debit side of Khurda Chopras of Samul Bhugtee's Firm, for Sumvut 1902 (1846), Leaf 83.

Cr.

Dr.

Vysack Vud 11th, (21 May 1846)	Rs. 500
Ditto, by the orders of Baba Sahib,	
paid to Meer Surfraz Ali	500 rupees.
	<i>Vide Howra, leaf 23.</i>
	<i>Vide Khata, leaf 50.</i>

Extract from the Khata Vye Chopra of Samul Bhugtee, compiled from the Khurda for Sumvut 1901 (1845), Leaf 27.

Cr.

Account for Sumvut 1901 (1845).

Dr.

Balance in leaf Vysak Sood 6th,	Rs. 20,000
<i>Vide leaf 23 of new Khata.</i>	

Extract from the Khatavye Chopra of Samul Bhugtee, compiled from the Khurda for Sumvut 1902 (1846), Leaf 23.

Account for Sumvut 1902 (1846).

Cr.

Dr.

Balance, <i>vide</i> leaf 27	- - Rs. 20,000
<i>Vide</i> leaf 83, Vysak Vud 11	- - 500
<i>Vide</i> leaf 21 of new Khata.	

Extract from the Khatavye Chopra of Samul Bhugtee, compiled from the Khurda for Sumvut 1903 (1847), Leaf 21.

Account for Sumvut 1903 (1847).

Cr.		Dr.
	Balance, <i>vide</i> leaf 23	- - Rs. 20,500
	<i>Vide</i> leaf 21 of new Khata.	

Extract from the Khatavye Chopra of Samul Bhugtee, compiled from the Khurda for Sumvut 1904 (1848), Leaf 21.

Account for Sumvut 1904 (1848).

Cr.		Dr.
	Balance, <i>vide</i> leaf 21	- - Rs. 20,500
	<i>Vide</i> leaf 19 of new Khata.	

Extract from the Khatavye Chopra of Samul Bhugtee, compiled from the Khurda for Sumvut 1905 (1849), leaf 19.

Account for Sumvut 1905 (1849).

Cr.		Dr.
	Balance, <i>vide</i> leaf 21	- - Rs. 20,500
	<i>Vide</i> leaf 19 of new Khata.	

Extract from the Khatavye Chopra of Samul Bhugtee, compiled from the Khurda for Sumvut 1906 (1850), Leaf 19.

Account for Sumvut 1906 (1850).

Cr.		Dr.
	Balance, <i>vide</i> leaf 19	- - Rs. 20,500

6. To explain how the memorandum was found among Baba Nafra's private papers, I will here quote paras. 6 to 14 of my Report on the "Andrews" case, dated 14th December last, describing the discovery of a similar document on the previous day, it being exactly applicable to the finding of this one; the only difference being that one day intervened between their discovery respectively.

EXTRACT.

"His Honour in Council is aware that I have recently been engaged in an investigation connected with the case of Setanee Joitabae, a widow ady, who was, through the villainy of Baba Nafra, head goomasta or manager of the late Hurree Bhugtee, subjected to the most atrocious calumnies, to the abduction of her child, and to deprivation of her property.

"In the course of my inquiries, it came to my knowledge that Baba Nafra had perpetrated his iniquities through the agency of unprincipled individuals, bribed to perjury and other crimes from out of the funds of the banking-house of which he was manager; in other words, from out of funds in part the property of the victim of his horrible machinations.

"Under these circumstances, I applied to his Highness the Guicowar, as well for the books of the firm of Hurree Bhugtee as for the private papers of Baba Nafra, which I requested might be seized by authority of the Durbar, sealed up, and sent to the Residency for formal examination. Both sets of documents were necessary to enable me to trace out the Baba's misdeeds; for, as his Lordship in Council must be aware, it is not unusual for native bankers and merchants, who had recourse to fraudulent proceedings of the nature of those under notice, to falsify their accounts in various ways, and with much ingenuity, with a view to prevent them betraying the real nature of the transaction.

"To elicit the truth therefore in the inquiry which I was about to conduct, it became highly desirable not only that I should have the means of collating the private accounts of Baba Nafra with the books of the house which he managed, but that I should submit both sets of documents to the scrutiny of men well qualified, by their experience in native book-keeping, to unravel and expose the ingenious intricacies and artifices by which such characters as Baba Nafra attempt to prevent their accounts revealing the exact nature of their disreputable transactions; and to a committee of such men did I submit the documents sent to me by order of his Highness.

"This committee was composed of an officer who attended on the part of the Durbar, of a carcoon in the office of Captain Fulljames, of my native agent, and of several of the goomastas

goomastas of Hurree Bhugtee's house, aided by three of the Residency carkoons and the Residency moonshee, whose duty it was to read and copy the papers. The proceedings of these individuals were conducted under my personal supervision.

"Of the general proceedings of the committee, it is not necessary that I should here speak. My investigation in reference to Baba Nafra's nefarious practices in this case will soon be communicated to Government, and his Lordship will then learn that the Baba effected his criminal designs against the reputation, property, and happiness of his master's widow, through the subornation of perjury, secured by the expenditure of funds in part her own, and of which he was the confidential custodian.

"It is not, however, irrelevant to observe, that had Baba Nafra's papers been summarily seized, as I requested, and as the Guicowar had authorized, I have good reason for believing that I should have been in a position to submit to Government satisfactory evidence of several other disgraceful attempts on the part of that individual to tamper with the fidelity of the servants of Government, as well European as native, both on his own account and as the agent of others. Unfortunately, however, the officer despatched by his Highness to seize the Baba's papers, instead of at once attaching them, and sealing them up, left them undisturbed till next day, and when on the morrow, wondering at the delay which had occurred, I sent the native agent, with the Guicowar's sanction, and accompanied by one of his Highness's officers, to see about the matter, the Baba was found engaged in sorting the papers, the more important of which he had already destroyed or secreted in anticipation of the seizure, of which unfortunately he had received warning. The arrest, however, happily took place before he had time to dispose of all the traces of his villainy.

"Such papers as were found were sealed up and brought to the Residency, and were subjected to an examination by the committee of natives above enumerated.

"In the course of that examination a private memorandum of Baba Nafra came to light * * * * *. The party whose property the memorandum was had long maintained a disgraceful notoriety as a persistent dealer in bribery and other cognate crimes. The memorandum was a private one, obviously designed only for his own reference and satisfaction; and it had been found in a bundle of papers, which bore evident traces of not having been opened for some time; in one of several bundles, bearing similar traces, which he had not time to examine prior to the seizure, his attention having been principally directed to those papers having a reference to the immediate subject of my inquiries. A comparison of this memorandum with the public chopras (account books) left no doubt on the minds of an intelligent body of men (peculiarly qualified to judge, by their long familiarity with native accounts,) that it referred to sums of money which had actually been received and disbursed for unlawful purposes, the precise objects of which the Baba wished to conceal from any one into whose hands the memorandum might by any untoward accident happen to fall."

7. My next step was to ascertain by whom this private memorandum of Baba Nafra had been written. The goomashtas present at the residency were called before the committee of examination and shown the document; were all of opinion that it was in the handwriting of Balwuntrao, Baba Nafra's brother. That person was accordingly summoned, and on the 2d August attended before me, but as was to be expected, denied all knowledge of the paper. He was then directed to write copies of it before me, for the purpose of being compared with the writing of the memorandum. He did so, and the pains he took to disguise his usual handwriting was so obvious as to excite the merriment of the committee and goomashtas who were looking on; subsequently other papers written by Balwunt Rao were found among those of Baba Nafra, the authority of which being signed by him, Balwunt Rao was obliged to admit.

8. When the papers were compared before me, there appeared no difference of opinion among those present as to the memorandum being in the handwriting of Balwunt Rao, but the sowcars objected to give their opinions in writing until they had obtained permission of the Durbar; accordingly I directed them to return on a subsequent day to deliver their opinions in writing. They did so on the 11th, when they delivered their reply to one of my queries as to the nature of the transaction referred to in the memorandum, as follows:—

EXTRACT from Queries put to the Principal Sowcars of Baroda on the 5th August 1850.

Question. "A Mahratta yad of 20,000 rupees, dated Vysack Sood 6th, Sumvut 1901 (12 May 1848) was found in the duffer of Baba Nafra; and in the chopra of the same year this item is written as 'Leetee Khata' (blank), and the amount delivered to Hurreea." But at the time Bechurbhaee was living, and after his death, other items have been similarly written, but of which no memo. have been kept in the chopra, nor is it stated to whom it was delivered; what can be the reason of this?"

Answered on the 11th August.—"While the Sett was living, mention being made to whom the money was delivered * * * *, and not so after his death, shows clearly that there was fraud on the part of Baba Nafra." Dated Shravan Sood 4th, St. 1906 (11 August 1850).

(signed)

1. Gopall Rao Myral.
2. Khooshalchund Amhedass.
3. Samuldass Bechurdass.
4. Munguldass Sukeedass.
5. Ruttonjee Kamdass.
6. Kemchund Wukutchund.
7. Sha Hathesing Kumsing.
8. Naruckchund Suggeewundass.
9. Kandass Wagjee.

9. It will be seen that the question as to the handwriting of the memorandum was not replied to by the sowcars, who had declared that it ought to be referred to the Decanee goomashtas, who were, they said, more conversant in such matters than themselves and accordingly I had on the 8th August forwarded the document to the Durbar, together with the writing which Bulwuntrow had made in my presence, and also other specimens of his writings which had been obtained for the purpose of being compared.

10. The Durbar subsequently, on the 29th August, transmitted the reply of the goomashtas, dated 16th idem, to the effect thus stated in the yad: "The Moonshee and others whose names are mentioned in the yad having been called and interrogated, the paper of questions is returned, from which it appears that in the opinion of the moonshee and others the writing of the memorandum of the 20,000 rupees does not correspond with the handwriting of Bulwuntrow Nafra; but it is the opinion of Ramchunder Gopall and Bhyjee Wynath that the handwriting does correspond." It is easy for those who have perused my report on the Joitabae case to understand how those who were on the 2d of August unanimously impressed with the conviction that the handwritings were the same, had been brought over on the 16th to declare they were different. My only surprise, knowing as I did the influences at work to screen Baba Nafra, was, that even two of the goomashtas could be found honest enough to maintain the truth. Of the identity of the handwriting of Bulwuntrow, Baba Nafra's brother, with that of the memorandum, there is no doubt I believe on the mind of any of these people; and it can be proved at any time by the submission of these papers to the inspection of uncorrupt men; but the point is of little consequence, for the document was found in a bundle of Baba Nafra's private papers, opened in my presence, and the appearance of which showed they could not have been opened for some years. And it is the less necessary to establish by whom the document was written, as there is direct and positive proof of the money having been taken to Nursoo Punt's house by Hurree Khidmutgar, the person as stated in the memorandum, through whom it was paid, and of the money having been taken from the firm of Samul Bugtee, by order of Baba Nafra, for payment to Nursoo Punt.

11. These facts are proved by the following evidence—

App.(A.) 1; No. 1. 1st. The depositions on oath of Doolub, one of the principal goomashtas of the firm, who took out the money by Baba Nafra's order, at nine o'clock at night, and delivered it to Hurree Khidmutgar, and who declares that he was informed at the time that it was taken to Assaram for payment to Nursoo Punt, "on account of the dispute between Gungudhur Shastree and the firm, but that the place for writing his name (in the chopras) was to be left blank; for this reason the sum was entered as having been made over to Hurreea, and the name of the person for whom it was intended was left blank."

App.(A.) 1; No. 2. 2d. Of Bappoojee Killadar, who was associated with Damodhur in the transaction, and confirms his testimony.

App.(A.) 1; No. 3. 3d. Of Hurree Khidmutgar, who states, that by direction of Baba Nafra, he brought at night 20,000 rupees, in 10 bags, from the firm to Baba Nafra's house, who there delivered the 10 bags of rupees to Astaram, into whose cart Hurree put the money; that Astaram then drove the cart to Nursoo Punt's house, accompanied by Hurreea, and that, on arrival at Nursoo Punt's house, Astaram took the bags into Nursoo Punt's house.

12. The evidence of these witnesses were taken the day after the memorandum was found (1st August), and was most reluctantly given, that of Damodhur especially, who is a devoted adherent of Baba Nafra; but at that time it was supposed that I had far more extensive proofs of the Baba's villainy than I really possessed; that all had come to light; and that there was no longer any use in attempting to deny this particular transaction, which they were well aware was of very minor importance, either as respected the object of the bribe, or its amount, to the far more extensive and criminal transactions of a similar nature connected with the Joetabae case, which was the particular object of inquiry.

13. In the course of the examination of these witnesses, the name of a labourer, Purshotum, having been mentioned by Hurreea, as having assisted him in removing the money-bags; he also was summoned and examined next day (2d August), and his testimony entirely confirmed that of Hurreea.

App.(A.) 1; No. 4.

14. As the disclosures of these witnesses had been induced apparently by the idea that far more of Baba Nafra's transactions had come to light than was really the case, I apprehended they would try to retract or modify their evidence when again examined. I therefore took advantage of the opportunity of the Judicial Commissioner's visit to Baroda again to summon the witnesses, without previous notice; and on their arrival at the residency, to subject them to re-examination, conducted by the sheristadar of that functionary's court, in my presence.

15. On being again separately questioned, each requested his former deposition to be read over to him, but they were told that no such refresher to their memories would be furnished to them, for, that if what they had previously stated was the truth, there could be little fear of the facts being forgotten, but that if their present statements at all differed from their former depositions, there would be ground for questioning their veracity. Their statements were then taken down; they were cross-examined by the sheristadar, and the result was, entire confirmation of what they had previously deposed.

16. The

16. The depositions taken on the second occasion are also appended, marked A. 2,* and on this, and the previously recorded evidence, A. 1, together with Baba Nafra's private memorandum, stating that the money was paid to Nursoo Punt, confirmed as it is by a corresponding item of disbursement debited in the chopras of the firm of the same date, can, I consider, leave no doubt that Nursoo Punt really did receive this sum.

(signed) J. Outram, Resident.

Appendix (A.), No. 1.

No. 1.

TRANSLATE of the Statement of Damodhur Doolub, Goomashta of Hurree Bhugtee's, taken before the Resident on the 1st August 1850.

Question. YOU are the mooktiar goomashta of the firm which is carried on in the name of Samul Bhugtee; state, therefore, by whose order, and for whom, was the sum of 20,000 rupees given, which appears in the chopras of the year 1901, entered on 6th Wyshak Sood as having been made over to Kismutdar Hurreea?—*Answer.* About five or five years and a half ago, I forget the date, while Baba Nafra was sitting in our Shet's house, he sent for Bappoojee Killidar and myself at nine o'clock at night, and told us to give Kismutdar Hurreea 20,000 rupees, upon which we went to the shop and took out 10 bags, containing 20,000 rupees, and gave them to Hurreea, who took them away. About two or three days afterwards I asked Bappoojee Killidar in whose name the money was to be entered in the chopras; he replied, that Baba had told him he had sent the money (20,000) to Asharam Purbhoodass to give Nursoo Punt, the Residency dufterdar, on account of the dispute pending between Gungadhur Shastree and the firm, but that the place for writing his name was to be left blank; for this reason the sum was entered as having been made over to Hurreea, and the name of the person for whom it was intended was left blank.

A. D. 12 May 1845.

In the same chopra, on the 3d Poush Wud, there appears an item of 1,000 rupees, and on 11th idem another of 300 rupees, as having been made over to the same Hurreea; how do you account for this?—These sums were paid by Bappoo Killidar to Kismutdar Hurreea, by order of Baba Nafra, and I entered them in the chopra as I was directed by Bappoo, but I don't know for whom they were intended, or what became of them.

26 January.

3 February.

You say that the sum of 20,000 rupees was given to Asharam, by order of Baba Nafra, to be presented to Nursoo Punt; but what have they to say to each other?—Asharam and Nursoo Punt are great friends, and are of one mind, which is known to all Baroda; for this reason the money was given to the former for presentation to the latter.

If the money was given to Asharam for Nursoo Punt, what reason was there for entering it in that blank form?—When money is paid in this way, the name is not written; it is always entered in a blank form, as this was done.

No. 2.

STATEMENT of Bappoojee Khoobeir, Hurree Bhugtee's Goomashta, 1 August 1850.

Question. WHERE did you formerly serve as goomashta, and how many years did you serve?—*Answer.* Since the year 1868 (A. D. 1812) I have served the firm of Hurree Bhugtee. In the year 1878 (A. D. 1822), the keys were given into my charge, and remained with me up to the year 1903 (A. D. 1847), when, in the month of Falgaon Shood 11th (25th February), on Joitabae's child being pronounced spurious, they were taken from me by Baba Nafra.

(The questions put to No. 1, above recorded, were put to this witness, and his replies fully exactly with the above.)

No. 3.

STATEMENT of Kismutdar Hurreea, of the Firm of Hurree Bhugtee, 1 August 1850.

Question. ARE you in the employ of Hurree Bhugtee; if so, what is your office, and how long have you served?—*Answer.* I have been in the employ of the firm for 24 years; was formerly a chutree bearer, and Rama Kismutdar was in charge of the treasury when he went to his home in Bissanuggur. During the life of Shet Bechurbhaee, the treasury was made

* To which is added further testimony, subsequently taken, respecting the handwriting of the memorandum.

made over to my charge, and remained so for two years. When the Shet died, Baba Nafra took from me the keys and kept them himself. Whenever he had occasion to get anything out of the treasury, the keys were sent to me by some of his confidential people, who accompanied me to the treasury, and, when no longer required, the keys were returned to Baba. Such has been the custom up to this date.

With what portion of the treasury were you entrusted?—I had charge of the treasury containing ornaments and cloths.

In the chopras of 1901 (A. D. 1845), there appears an item of 20,000 rupees, as given to you, but for whom is left blank; state to whom this sum was paid, by whose order, and for what purpose?—About five or six years ago, I forget the date, one day when my Shet was unwell, Baba Nafra, who was sitting at the house, told me when it was dark to get from Bappoo Killedar's some money, and take it to his house. About nine o'clock at night, Bappoo, in allusion to what Baba had said, told me that he had got 10 bags of rupees all ready, which he gave over to me. Two of these bags I took away at about 10 o'clock to Baba Nafra's house, who was then living in the house which is now a temple; Baba was sitting in the door-way, and told me to put the two bags of rupees in his house, which done, I returned, but considering that I could not by myself take away the remaining eight bags quickly, I called Parshotum, a labourer, and in two journeys we delivered the whole 10 bags at Baba's house, and all were taken in by him; he was then alone; this done, Purshotum went away, and I remained with Baba; while there, Asharam came up in a cart, and began conversing with Baba away from me. Baba afterwards told me to bring the bags of rupees and put them into Asharam's cart, which was done accordingly. Asharam then got into the cart and started for Nursoo Punt's house; Baba told me to accompany him, and after making over the rupees from the cart, to go home; Purshotum, the gharrywalla, and self were the only persons present. On arrival at Nursoo Punt's house, I took out the bags, and Asharam placed them in Nursoo Punt's house, giving me leave to go home, which I did. This is all I know.

What is the name of Asharam's garrywalla?—I don't know.

Where is Purshotum now?—He is in the employ of my Shet.

Did you ever inform the Shet of this business of having taken away the rupees?—The Shet was unwell, therefore I never said anything about it, neither did he ever ask me.

When Asharam and you went to Nursoo Punt's house with the cart and rupees, where was he?—The night was dark and I could not see whether Nursoo Punt was there or not, but I took out the rupees from the cart, and Asharam's garrywalla took them into the house.

At that time where was Nursoo Punt residing?—To the best of my recollection he was living just opposite the house of one Kaka Saheb, in Baroda.

No. 4.

STATEMENT of Purshotum Becher, Labourer, of the Firm of Hurree Bhugtee, 2 August 1850.

Question. USED you ever to be employed by the firm of Hurree Bhugtee, as a labourer?—*Answer.* From the time of my father I have lived in the granary of the firm, and worked for them.

About five or six years ago, did you ever accompany Hurria to the house of Baba Nafra, and assist in carrying bags of money?—About five years and a half ago, I forget the day, one night at about nine or ten o'clock, I was sent for by Kismutdar Harria, and told that there were 10 bags of rupees to be taken to Baba Nafra's house, two of which he had already delivered, and that for the removal of the other eight, I was to accompany him, and I should receive payment for my trouble. I accordingly went with him to the Shet's house, and together, in two trips, we carried the eight bags to where Baba was living, the place now occupied by the god Ramjee; at that time Baba was sitting alone in front of the house. After I had put the bags in the house, Baba told me to go away and let Hurria sit down, upon which I returned to my house, and Hurria remained with Baba; the next or third day, Hurria gave me from the granary four seers of grain.

How many rupees do you suppose the bags contained which you took away?—Each bag contained about 2,000 rupees.

In what part of Baba's house did you place the bags?—I put them where Baba told me, in a room.

Before this, did you ever in like manner take bags of money to Baba's house?—No, this is the only time I ever took bags or money to his house.

When you took the money to Baba's house was any body else there besides Hurria and yourself?—No, there was nobody else.

(True translations.)

(signed) M. Battye, Assistant Resident.

Appendix (A.), No. 2.

No. 1.

TRANSLATE of the Deposition of Bappoo Koobairdass ; Religion, Hindoo ; Caste, a Veesa-law Bannian ; Occupation, Goomasta at the firm of Hurree Bugtee ; aged about 59 years ; Inhabitant of Baroda ; taken upon oath before the Resident, on the 8th February 1851.

Question. FROM what time have you been employed at the firm of Hurree Bugtee, and what are the duties you perform there ?—*Answer.* I have been engaged to the firm of Hurree Bugtee from the year Sumvut 1867 or 1868 (1811, 1812), as a goomasta, and in the year Sumvut 1878 (1822), I was appointed to the office of potdar, and placed in charge of the keys, and I continued in this appointment up to Phagoon Sood 11, Sumvut 1903 (25th February 1847), after which Baba Nafra took the keys away from me and appointed another person in my place. After this I requested the Baba to reinstate me in my appointment, but the Baba informed me that he could not then reinstate me, because the Settanee's case was being investigated, but that upon the termination of the case that I would be reinstated ; thus he promised me, and notwithstanding I used to daily attend at the firm, it was only on the 13th Shrawun Sood, Sumvut 1906 (20th August 1850), that I was reinstated in my former appointment by the elder Settanee and the Mooneem Petamberbhaee, the duties of which post I at present discharge.

On what date did your Sett die ; and after the Sett's death who used to keep the account of the money disbursed from the firm ?—On Bhadurwa Sood 2d, Sumvut 1901 (3d September 1845), the Sett Bechurbhaee died, and from the above date I used to keep the loose memorandum of the amounts disbursed by the firm obtaining under the name and title of Samul Bugtee. But the firm in the name of Hurree Bugtee is separated, and the loose memorandums of which were kept by Bhyejee Ghaila ; and from such memorandums the khurda is written by Goomasta Icharam, and the kurda of the firm to which I belong is kept by Hurreelall Dhajee.

You are requested to particularly explain everything that you are aware of connected with the item of 20,000 rupees, debited as leetee khatee in the 85 leaf of the kurda, on the 6th Vysack Sood, Sumvut 1901 (12 May 1845), and entered as having been disbursed through Kidmutgar "Hurreeya" ?—In Sumvut 1901, on the date above mentioned, Bachurbhaee Sett was alive ; when one night about nine o'clock my Sett Bachurbhaee, being ill, was asleep in one of the rooms situated on the ground floor, Baba Nafra came up stairs from the Sett Bachurbhaee, and desired me to take out 10 bags, containing 20,000 rupees, and give them to Kidmutgar "Hurreeya," which I accordingly did.

Did you receive any instructions from your Sett, or either of the two Settanees, upon this subject ?—No, Baba Nafra had given me orders only.

Of what currency were the rupees which you had, as above stated, taken out ?—They were Baba Sye rupees, and of the Baroda city currency.

You having taken out and given the above amount to "Hurreeya" Kidmutgar at night, did you ascertain where he took the money to, and to whom he gave it ?—After the amount had been given to the Kidmutgar, he took and left it before the inside jamdaikhana ; but I cannot positively state when he took it away from thence.

Did you ask Baba Nafra how you were to notice this disbursement on the debit side of the accounts, and what answer did he make ?—Either the same night in which the amount had been given, or the following morning, I asked the Baba how I was to debit this amount of 20,000 rupees ; and the Baba instructed me to debit the amount by blank entry as having been disbursed through Kidmutgar "Hurreeya ;" but that the name of the party to whom given should not be inserted, and agreeably to which I noticed the sum in my loose memorandums.

To whom and for what purpose was the above disbursement made ; if you know, you are requested to declare ?—My Sett had a pecuniary demand against Ghungadhur Shastree ; this case was at the time being investigated at the Residency, and at this time Nursoo Punt was the Residency dufterdar, and upon terms of much intimacy with Assaram Purboodass, an employé of the Guicowar Sirkar ; and this said Assaram was one of the members of the appointed to adjudicate the claim my Sett had against the said Gungadhur Shastree ; and for the purpose of its being given to Nursoopunt the Baba had sent this sum of 20,000 rupees to Assaram ; this I know to be a fact.

How did you become acquainted with the above ?—From the servants belonging to the firm.

Did you make any inquiries about the delivery of this amount of the Kidmutgar "Hurreeya ;" or did Hurreeya say anything to you about it ?—I made no inquiries of "Hurreeya," neither did he say anything to me about it.

In the deposition formerly given upon oath by you before me on the 1st August 1850, you stated that Baba Nafra had informed you that this sum of 20,000 rupees had been sent to Assaram for the purpose of being given to Nursoopunt, whereas at present you state that you learnt the above from amongst the servants of the firm ; therefore how do you explain this discrepancy ?—What I had deposed in my former deposition is the truth, and the statement I made above I was induced to from want of memory.

What necessity existed to resort to these "leetee khata" entries ; you are required to explain?—

explain?—Sums paid to any person for any particular business which is required to be kept secret are entered “leete khata.”

The deposition made by you before me on the 1st August last is read over and explained to you, and you are required to declare whether it be in accordance with what you had then deposed to?—Yes, this deposition is in accordance with what I had at the time deposed to; and it having been recalled to my recollection, I beg further to add, that on the occasion of my giving the bags of rupees, Goomasta Damodhur Dhullub was seated near me, and Baba Nafra desired both of us to take out and give the amount.

(signed) *Bappoojee Koobairdass.*

(In his own handwriting.)

8 February 1851,
Baroda Residency.

No. 2.

TRANSLATE of the Deposition of Damodhur Dhullub; Religion, Hindoo; Caste, Vydah Banian; Occupation, Goomasta in the Firm of Hurree Bugtee; aged about 41 years; Inhabitant of Baroda; taken upon oath before the Resident on the 9th February 1851.

Question. How long have you been employed at the firm of Hurree Bugtee, and what is the nature of the duties you perform there?—*Answer.* On Assud Vud 1st, Sumvut 1901 (20 July 1845), my father died, after which I was employed at the Sett's firm; and from the above year a firm had been established in the name of Samul Bugtee, and I am the mooneen goomasta of this firm, and discharge the duties of mooneen.

You being the goomasta of this firm, therefore you are interrogated as to an item of 20,000 rupees, debited under the head of “leete khata” in the kurda, leaf 85, on the 6th Vysack Sood, Sumvut 1901 (12 May 1845), as having been disbursed through Kidmutgar “Hurreeya,” and you are called upon to explain in which way this amount had been taken out of the firm, by whose orders, and to whom given?—On Vysack Sood 5th, Sumvut 1901 (11 May 1845), about five o'clock in the evening, at this time in the dewankhana of my Sett, the mooktear mooneen, Baba Nafra, desired myself and the Keleedar Bappoojee to give to “Hurreeya” Kidmutgar the sum of 20,000 rupees, upon which Bappoojee and I went from the dewankhana to the firm; and about half-past six or seven o'clock the same evening Bappoojee opened the room, and took out the sum of 20,000 rupees, contained in 10 bags, each bag containing 2,000 rupees, and the rupees taken out were of the city of Baroda currency; and this amount was given to “Hurreeya,” and he took and placed the same before the Sett's “jamdar khana” outside; the same night, about seven or eight o'clock, “Hurreeya” took this amount away, but I at the time did not know where he had taken it to, but subsequently, on the second or third day, I inquired of Bappoojee under what head was the amount to be debited? when he replied, that having inquired of Baba Sahib, he had been instructed to debit the amount by “leete kata,” and upon this I remarked to Bappoojee that it was proper to debit it by the leete kata, but to whom was the amount given, and where had it gone? To this Bappoojee replied, that a case of Settjee's claim against Ghungadhur Shastree was being inquired into at the Residency, and that Dufturdar Nursoo Punt had the business in his hands, and that consequently this sum of 20,000 rupees had been sent to Assarambhac's for the purpose of being given to Nursoo Punt, and that this was given as a bribe in the above case, consequently space should be left blank for the entry of the parties' names. That this the Baba had said to him, and which Bappoojee communicated to me; from the above cause this amount was entered in the books as leete khata.

What necessity existed for sending this 20,000 rupees to be given to Nursoo Punt to Assarambhac's; and what connexion existed between Nursoo Punt and Assaram?—Nursoo Punt and Assaram were of one mind, and great friends; and this fact was also well known in the city of Baroda; consequently through Assaram, for the purpose of being given to Nursoo Punt, was the amount sent to him.

Is it the usual practice in the firm to make these “leete kata” entries?—In cases of bribes, and when it is desired to be kept secret, such leete khata entries are resorted to.

Was Assarambhac a member of the punch nominated to investigate the claim made by your Sett against Ghungadhur Shastree?—Yes, Assaram was one of the members of this punch.

Bappoojee, regarding this amount, had informed you as above; but did you personally ask Baba Nafra regarding it, and did he (Baba Nafra) say anything to you about it?—Yes; when I asked him, he too desired me to write the entry as he had instructed Bappoojee.

Did you inquire of “Hurreeya” Kidmutgar about his having delivered the above amount, or did he say anything to you about it?—Neither did I make any inquiry of Hurreeya, nor did he say anything to me about it.

Did your Settjee give either yourself or Bappoojee any orders for the taking out of this 20,000 rupees, or did either of the two Settanees say anything to you about it?—I received no orders from either of the three parties named above, but I received my instructions from Baba Nafra, and by his orders the amount was taken out and given.

Where is Assaram at present?—Assarambhac died about the year Sumvut 1902 (1846).

On the 1st day of August 1850 you gave your deposition before me, which deposition is now read over and explained to you, and you are called upon to certify whether it be in accordance

accordance with what you had then deposed to or not?—The deposition being read over and explained to me, I declare that it is in accordance with what I had deposed to on that occasion.

Dated 9 February 1851.

(signed)

Damadhur Dhullabram.

(In his own handwriting.)

No. 3.

TRANSLATE of the Deposition of Purshotum Bechur; Religion, Hindoo; Caste, Khutree; Occupation, Labourer; aged about 28 years; Inhabitant of Baroda; taken upon oath before the Resident, on the 9th February 1851.

Question. USED you to attend at the firm of Hurree Bugtee for the purpose of following your occupation as a porter; and if you used to do so, you are required to state from what period?—*Answer.* During my father's lifetime I used to attend at the firm for the purpose of following my calling as a porter, but for last year I have been employed as a servant.

About six years ago, at any time did you accompany Kidmutgar "Hurreeya" and carry bags of rupees to any place?—Yes, I did so carry bags of rupees.

Where did you convey the bags of rupees to; and all the particulars of this affair, you are required to state?—About six years ago, the date and day I do not recollect, but one night about half-past seven or eight o'clock, "Hurreeya" Kidmutgar called me and said that certain bags of rupees it was necessary to the house of Baba Nafrā; that he had himself gone two trips, and, as he was going to convey the remaining bags, I should accompany him, and that he would cause me to be paid my hire. Thereupon I accompanied him. Hurreebhaee carried one of the bags, and two bags were given to me to carry. I placed them in the folds of my sheet, put them upon my shoulder, and we both proceeded to the Baba's, who resided where the Ramjee Mundier Temple is at present situated. There Baba's old house was located. To this place we went. Baba Sahib was there, and in a room in this house we deposited the bags of rupees, and returned home. Afterwards, in the same manner, three more bags we conveyed, and delivered to the Baba. Afterwards Baba Sahib desired me to go away, and let "Hurreeya" remain with him; upon which I went away to my home, and left "Hurreeya" with the Baba. About three or four days afterwards, "Hurreeya" gave me from the Sett's grain depôt four seers of grain on account of my hire.

You having carried four of the bags, state what amount was contained in each of the bags?—Each of the bags contained 2,000 rupees.

Since you went two trips with Hurreeya with the bags of rupees, state if there was any light in the room in which they were deposited?—I do not recollect.

When you deposited the bags which you had carried, did you observe the bags which had been deposited there before?—Being at night, and as my sight is imperfect at nights, therefore I did not observe them.

In this manner, on any other occasion, did you convey bags of rupees to the house of the Baba, or to any other place?—Excepting on the above occasion, I never conveyed bags of rupees to any person's house.

Did "Hurreeya" inform you whether these bags of rupees remained at the house of the Baba, or whether they had been transferred to any other body's house?—No, he did not.

The deposition taken from you on the 2d August 1850 is read over and explained to you, and you are required to state whether it be in accordance with what you had deposed to?—Yes, this deposition is in accordance with what I had deposed to.

(signed)

Khutree Purshotum Bechur,

Dated as above.

by Hurreea Kidmutgar.

No. 4.

TRANSLATION of the Deposition of Hurreebhee Bhychund; Religion, Hindoo; Caste, Khudwa Kunbee; Occupation, Servant to Hurree Bugtee; aged about 40 years; Inhabitant at present of Baroda; taken upon oath before the Resident, on the 9th February 1851.

Question. FOR what length of time have you been employed at Hurree Bugtee's, and what are the duties you perform there?—*Answer.* For about the 20 or 25 years have I been employed at Hurree Bugtee's, and used to be the chutree bearer to the Sett; but two years before the Settjee's death he placed me in charge of the jamdar khana keys, and after the Settjee's death Baba Nafrā took the keys of the jamdar khana away from me, and kept them himself; from which date up to the present time I am employed in opening the jamdar khana, besides performing other work about the house.

In the duffers of your Sett for the year Sunwut 1901 (1845), on the 6th Vysack Sood (12th May), a leetee khata entry obtains for the sum of 20,000 rupees, as having been disbursed through you; the name of the party to whom disbursed being left out, therefore you

are asked to faithfully declare who gave this amount to you, and to whom, in what way, and when you delivered the said amount?—In the month of Vysack of Sumwut 1901 (May 1845), the date I do not recollect, but it was during the time of my Sett's illness, one day about half-past five o'clock in the evening, Baba Nafra was seated in my Sett's dewan-khana, where he sent for me, and desired me to take from Bappoojee Keeleedar the sum of 20,000 rupees, and after nightfall to convey it to his house; agreeably to which I mentioned to Bappoojee, upon which he took out from the room ten bags containing 20,000 rupees, and gave them to me; I carried and placed them before the Sett's jamdar khana, and afterwards, about eight o'clock at night, I placed two of the bags in the folds of my sheet, and put them upon my shoulders; I alone carried them to the old vacant house of Baba Nafra, which was situated where Baba Nafra's ramjee mundeer at present stands, and as Baba Nafra was standing there when I arrived, I asked him where I should deposit the bags, when the Baba desired me to place them in one of the rooms, whereupon the two bags which I had carried there I deposited in the room pointed out to me, and made them over to the Baba's charge; at this time there was a light there, and no other person was there. I returned to the house of the Sett, and in the same manner I conveyed two more bags, and in the same manner delivered them over to the Baba, who was standing there, and again returned to the Sett's firm; when it was about nine o'clock, and as I was tired, I called a labourer, Purshotum, who used to be about the firm, and asked him to assist me in conveying the bags of rupees, and that I would cause him to be remunerated with grain for his hire; to this he consented, whereupon I took up one of the bags and delivered two bags to Purshotum to carry, and these three bags we both conveyed, and in the same manner as above stated delivered to the Baba, and returned; we again in the same manner took three more bags, and went and delivered to the Baba in the same manner as above; in this manner, after having delivered the ten bags to the Baba, Purshotum was dismissed, and he went away to his own house. I remained standing near the Baba; in the meantime Assaram being seated in a raickda (cart) came to the house of Baba Sahib, and he and Baba Sahib had some conversation together in the room in which the bags of rupees had been deposited; after which Baba desired me to take the ten bags of rupees which I had deposited in the room, one by one, and deliver them to Assaram, cart driver; whereupon I took the bags, one by one, and delivered them over to the cart driver, and the cart driver deposited the bags in the box of the cart, and this being near the ten bags were deposited therein; after which Assaram left the Baba and seated himself in the cart, and the cart was driven to the same purra in which Kakasahib's wadda is situated, and the Baba desired me also to accompany Assarambhaee as far as the house of Nursoo Punt, after having unloaded the cart of the bags it contained, that I might go home; thereupon I followed the cart of Assaram. At this time Assarambhaee, his cart driver, and myself (three persons) were together; afterwards, when we arrived at the house of Nursoobha, the cart was made to stop; at this time it was about 11 o'clock at night, and after Assarambhaee had got out of the cart, the cart driver opened the tub of the cart in which the bags had been deposited, and I took out the bags of rupees one by one and gave them to the cart driver, and the cart driver took them into the house of Nursoo Punt, and having deposited there the whole of the ten bags, returned in this manner: Assarambhaee remained present, and caused me to take the bags of rupees out of the cart, and caused his cart driver to convey them inside, after which he desired me to go to my home, and after so saying, he went into the house of Nursoobha, whereupon I came away to my own house.

What is the name of Assaram's cart driver; do you know him; and where is he at present?—I only saw this cartman on the occasion when I took out and gave to him the bags of rupees, and heard him speak, from which I know that he appeared to be like a Kunbee, but I do not know his name or his present whereabouts.

Having, as above stated, delivered the bags of rupees, did you inform your Sett about it?—At the time the Sett was ill, consequently I did not inform him about it; and further, the Baba having ordered me, what necessity was there for acquainting the Sett about it?

When Assarambhaee arrived with the cart containing the bags of rupees, and you also accompanied him, whereabouts in the house was Nursoo Punt?—The night being dark, consequently I did not see whereabouts Nursoo Punt was seated in his house.

If you are aware for what purpose the above amount was given to Nursoo Punt, you should declare?—For what purpose this amount was given I know not; but as above stated, it was secretly given to him, it is true.

In the deposition taken from you on the 1st August 1850, you stated that, agreeably to the Baba's orders, you took the bags of rupees and placed them in the cart; whereas at present you state that you took the bags and delivered them to the cart driver, and that the cart driver had deposited the bags in the cart; therefore you are required to explain this discrepancy?—I may have on the above occasion deposed as above stated, but the bags being required to be quickly deposited in the cart, we both conjointly placed the bags in the cart.

Your deposition of the 1st August 1850 is read over and explained to you, and you are required to state whether it be in accordance with what you had at the time deposed to?—The deposition at present read over and explained to me is in accordance with what I had at the time deposed to.

(signed) Kidmutyar Hrreebhan Bhyechund.
(In his own handwriting.)

9 February 1851.

No. 5.

TRANSLATE of the Deposition of Bullajee Frush Ram ; Religion, Hindoo ; Caste, Ducknee Brahmin ; Occupation, Goomastia to Gopall Row Myrall ; aged about 46 years ; Inhabitant of Baroda ; taken upon oath before the Assistant Resident, Lieutenant M. Battye, on the 20th March 1851.

Question. FROM the dufters of Baba Nafra, a memo. of Jummakurch, in the Ducknee characters, for 20,000 rupees, dated Vysack Sood 6th, Sumvt. 1906 (12 May 1845), has been discovered ; and further, in the Baba's dufters, in the handwriting of the Baba's brother, Bulwunt Row, a chit, dated Phagoon Sood 8th, has also been discovered, which the said Bulwunt Row acknowledges to be in his handwriting ; these two documents are shown to you, and you are required to state whether the handwriting of both these documents agree with each other, or otherwise ?—*Answer.* Having inspected both the above documents, I declare that the writing of the chittee, dated the 8th Phagoon Sood, agrees with the writing of the memorandum of the 20,000 rupees ; and the writing of the above chittee appears to be old.

The above Jummakurch memo. for 20,000 rupees has been shown to you, which together with the specimen of Bulwunt Row Nafra's writing, which have been taken for the purpose of comparing with the handwriting of the above yad for 20,000 rupees, these four documents are submitted for your inspection, and you are required to state whether the writing of these four documents agree with the writing of the above Jummakurch memorandum for 20,000 rupees, or otherwise ?—The above four documents caused at present to be written by Bulwunt Row Nafra, have been shown to me, and having inspected them, I declare that the writing of the above four documents appears to have been written in an assumed hand, and consequently the writing of the above four documents do not agree with each other ; from this it would appear that the said Bulwuntrow had written the above four documents in a disguised hand, but notwithstanding the writing of one of these four documents which Bulwunt Row had with his own hand copied, viz., the Jumma Kurch yad for 20,000 rupees, agrees with the writing of the original Jumma Kurch yad for the 20,000 rupees ; and the writing of the other three documents also in certain places agrees with the writing of the said yad of 20,000 rupees.

(signed) *Ballajee Frushram.*

20 March 1851.

(In his own handwriting.)

No. 6.

TRANSLATE of the Deposition of Ramchunder Junnardhun, Bappa Khurseekur ; Religion, Hindoo ; Caste, Dhucknee Purboo ; Occupation, Service ; aged 63 years ; Inhabitant of Baroda ; taken upon oath before Assistant Resident Lieutenant M. Battye, on the 21st March 1851.

Question. FROM the dufters of Baba Nafra, a memo. of Jumma Kurch, in the Dhurnee characters, for 20,000 rupees, dated Vysack Sood 6th, Sumt. 1901 (12 May 1845), has been discovered ; and further, in the handwriting of his brother, Bulwuntrow Verkelleesh Nafra, a chit, dated Phagoon Sood 8th, has also been discovered, and which chit the said Bulwuntrow acknowledges to be in his own handwriting, therefore this chit and the memo. for 20,000 rupees are shown to you, and you are required to state whether the handwriting of both of the above documents agree with each other ?—*Answer.* Having inspected both of the above documents, I declare that the writing of the chittee, dated Phagoon Sood 8th, upon being inspected, agrees with the writing of the yad for the 20,000 rupees ; but this chit appears to have been written years ago, and consequently nothing definite can be said on this subject.

Four documents have at present been taken from Bulwuntrow Venkettesh Nafra, in his own handwriting, and these four papers are shown to you, and you are required to state whether the writing of the Jumma Kurch yad for 20,000 rupees agrees with the writing of these four documents, or otherwise ?—From the above four documents shown to me, the writing of the one, which is a copy of the yad for 20,000 rupees, agrees with the writing of the original yad for 20,000 rupees. This original yad for 20,000 rupees, and its copy, appears to me to be in the same handwriting of the other three documents, also appears to have been penned by the same hand, and it seems as if the writer had disguised his hand ; but whether the writer did this to prevent the writing from agreeing with the writing of the yad for the 20,000 rupees, or from any other cause, how am I to know ?

(signed) *Ramchunder Jhunnardhun.*

21 March 1851.

(In his own handwriting.)

(True Translation.)

(signed) *M. Battye,*
Assistant Resident.

Appendix (B.)

TRANSLATED Extract from the Proceedings of the Committee appointed to examine Hurree Bhucktee's Treasury.

ON the 7th April 1851, the door of the jamdarkanna, situated on the southern side, was opened; after which, the lock on the door of the inner room we got Kidmutgar Hurreeya to open; and upon the large chest in this room which remained to be examined Sumbooram Bhaee seated himself, and Ghagganund Abba, Trimbeck Shastree, Wujjoobhaee, and Soorujram were also there standing together; and this chest was caused to be opened by Kidmutgar Hurreeya, and the articles contained in it were caused to be brought out to the outer room; and after doing so, the whole of us came to the outer room and commenced the inspection of the things. At this time, after having inspected them, they were returned to the chest from whence they had been taken; and, to guard against any misappropriation, Ghagganund Abba was by the committee stationed in the room in which the chest was, and Wujjoobhaee was seated on one side of the threshold of the door of the room, and Kidmutgar Hurreeya on the inner side of it; and Moonim Peetamburdass opened the bundles, &c., and showed the contents to us all; and having taken an inventory of the same, he handed them over to Hurreeya Kidmutgar, for the purpose of being returned to the chest from whence they had been taken; and, according to the above, when the inspection was going on, four silver lotas turned up, two of which were empty, and the other two contained small cloth bundles. The contents of one of these lotas was at first examined, and found to contain gold mhores, tied up in the parcels; and upon taking out the cloth parcels contained in the other lota, two were found to contain papers, and the others jewels. The whole of the parcels containing jewels the moonim goomasta examined, and caused their contents to be brought upon the inventory; after which the papers contained in the two cloth parcels the moonim perused and commenced smiling; and the moonim's brother Pramanund, who was seated near the moonim, then read the whole of these papers; upon which the whole of us asked Peetambur Bhaee to inform us what these papers were about; upon which he answered he would do so, and laid the papers down, which caused the members of the committee to entertain suspicion about these papers, and consequently they insisted upon these papers being submitted for their inspection; upon which the moonim goomasta Peetamburdass made these papers over to Sumbooram Bhaee, who, after perusing them, handed them over to Trimbeck Shastree, from whom the members of the committee, viz. Ghagganund Abba, Venayek Appa, on the part of Parruch Moteelall Babajee, Soorujram Bhaee, and the fathers of both the Settanees, one after another, took and inspected these papers, and entered them upon the proceedings. This and another bundle of papers which had turned up were made up in one parcel, and this parcel was sealed with the seals of the Nyadish and Residency; and upon the termination of the whole business of the day, this parcel Sumbooram conveyed for the purpose of showing to the Maharaj and Bhow Sahib. The whole of the members of the committee remained there, and Sumbooram returned and informed the committee that he had succeeded in seeing the Maharaj, but that he could not see Bhow Sahib, and therefore that he would take the packet with him, have an interview with Bhow Sahib, and meet Soorujram Bhaee at the "Jhampa;" and after so saying, Sumbooram went towards Bhow Sahib's; and the members of the committee also went to their respective homes; and Soorujram Bhaee, saying that he was going to the Sahib, also left. This is what took place.

Dated the 7th April 1851.

Soorujram Ghungadhur, the Residency Native Agent, the Members of the Committee, Gopalrow Myral (on his part, Ghagganund Abba), Parruck Moteelall Sammuldass (on his part, Moonim Babbajee), Trimbeck Shastree, Venayick Appa, Sumbooram Kooshall, the Moonim Goomasta of the Firm of Hurree Bhucktee, Peetamburdass, Sha Wujjoobhaee, and Bhannabhee Kandass, Inhabitants of Baroda, attended before the Resident, and were interrogated in his presence, on the 8th April 1851.

S. O.

Question. A MEMORANDUM of what took place yesterday, the 7th April, is read over and explained to the whole of you, and you are called upon to state whether the circumstances transpired as above recorded, or otherwise?—*Answer.* The proceedings having been read over and explained to us, we declare that the circumstances therein detailed are correct.

You are shown a sealed packet, which you are requested to inspect, and declare whether it be the same one which you all yesterday caused to be made up of the papers which had turned up during your inspection of the southern jamdarkanna, at the firm of Hurree Bhucktee, and sealed with wax bearing the impression of the seals of the Neyadish and Residency, and which you sent to the Residency by one of your number, i. e. Sumbooram Kooshall; and further, you are called upon to explain the contents of the papers contained in the said parcel?—The parcel shown to us this day by the Sahib we identify as the one which we yesterday sent to the Sahib by Sumbooram Kooshall, and we, having opened the said parcel, find it to contain the identical papers which we yesterday sealed up in the said parcel, and the contents of the two parcels contained in the said parcel are as follows: viz.

One

One parcel containing two papers, the contents of which are as follows :—

- 1 Paper dated Vysack Sood 5th, S. 1895 (17 April 1849), being a memo. of the jewels received from the house of Goomasta Ramdass Bhugwan.
- 1 Paper, moth-eaten, dated Chytur Sood 13th, S. 1896 (Thursday, 14 April 1840), being a memo. of jewels.

2

One parcel containing papers, the contents of which are as follows :

1. A yaddee dated month of Ashveen, S. 1904 (October 1848), for the sum of 78,070 rupees, of which on Vud 8th (19 October), Vud 9th (20 October); one chit for 28,070 rupees, which sum was paid to Nursoopunt Tatteeaya, on account of the dispute about the boy, as follows: 5,000, 23,070.
1. Chit. "To be honoured by Nur Hurree (*i. e.* the titular Deity). My petition is, that agreeably to agreement the amount has not been transmitted to me, which act is not worthy of you. This is the prayer."
1. Chit. "To be honoured by Nur Hurree (the titular Deity). My petition is, that up to the present time the whole of the amount has not been transmitted, and this does not redound to your greatness. This is the prayer."

The contents of the papers are as above particularised.

Question. These papers written by Nursoopunt Tatteeaya, at the residency kutcherry, viz. rough memos. regarding amounts in deposit, ditto regarding the Shastree's neemnook, regarding the Paga of Bulwuntrow Gaekwar, and the deposition of Baba Nafra, taken in the matter of Govindrow Gaekwar, are all shown to you, and you are required to compare with them the two chits found with the memos. for 28,070 rupees yesterday, and to faithfully declare whether the handwriting of the memo. and the chits agree, or whether any difference appears in the handwriting of the respective papers above named?—*Answer.* Upon comparing the handwriting of the two chits above-mentioned, with the writings of the other papers, the handwriting of the chit in which "agreeably to agreement" is mentioned, exactly agrees with the handwriting of the other papers, with the exception of a few letters here and there; but with reference to the writing of the other chit, the writing does not appear so clear, and consequently we entertain doubts in the matter.

Question to Venayick Appa. At the time these two chits turned up yesterday, did you not, in the presence of the members of the committee, remark that the handwriting of one of the chits resembled the handwriting of Nursoopunt Tatteeaya, you thus openly remarked, whereas to day you have stated as above, therefore you are called upon to explain the reason of this?—Yesterday, when these two chits turned up, upon inspecting the one in which it is written "agreeably to agreement," the writing of the word "agreement" at first appeared to resemble that of Nursoopunt, and this circumstance induced me to remark, in the presence of the members of the committee, that the writing of this chit was in the handwriting of Nursoopunt.

The handwriting of the yad referred to by you, in your reply to a question put to you above, dated Ashveen, S. 1904 (October 1848), regarding the sum of 28,070 rupees, from the amount of 78,070 rupees drawn by a chit, Vud 8th (19 October), and Vud 9th (20 October), which had been given to Nursoopunt in the matter about the boy, the writing of which yad is in the Dhucknee characters; the handwriting of this yad, and the handwriting of four papers which Baba Nafra's brother, Bulwuntrow Nafra, had been required to copy in his own handwriting, are shown to you, and you are required to state whether the writings of these several papers agree with one another, or otherwise?—Having inspected the above papers, which have been shown to us, we declare that the yads numbered 5, 7, and 8, two of which are copies of the yad for 20,000 rupees, and the other is a copy of a yad regarding Godajee Pole's Paga; if these three papers were copied by the same individual, it appears that the writer of them must have intentionally disguised his handwriting while penning these papers, and consequently it is evident that he did not write these papers uninfluenced by some ulterior motives. But the yad for 28,070 rupees, and the paper No. 6, which is a copy of a letter from Bulwuntrow Venketish to Doola Nowla, dated Phalgeon Sood 8th (March), upon being compared, the writings of the above two papers appear to be in the handwriting of one and the same party.

(signed) Gopalrow Myral, in the handwriting of Gunputrow Ramchunder.
 Paruck Moteelall Sammuldass, in the handwriting of Babajee.
 Trimbuck Shastree Munhore, in his own handwriting.
 Venayeck Suddashew Nisbut Furnesh, in his own handwriting.
 Mehta Sumbooram Kooshall Bhae Nisbut, Sirkar Hocoor.
 Petambur Sewlall, in his own handwriting.
 Parruck Wujjoobhae Vancheedass, in his own handwriting.
 Bhannabhae Khandass, in his own handwriting.

Before me, this 8th day of April 1851,

(signed) J. Outram, Resident.

(True translation.)

(signed) M. Battye, Assistant Resident.

— No. 2. —

MEMORANDUM.

1. In compliance with the directions of the Right honourable the Governor, the Chief Secretary begs to lay before the Honourable Board some remarks on those portions of the accompaniment to Colonel Outram's letter of the 9th April, intituled, "A Statement of Facts relating to Nursoo Punt, late Native Agent of the Baroda Residency," which have reference to his office, or of which he possesses any personal knowledge.

Paras. 22, 23, 24.

2. In his 22d para. Colonel Outram quotes the words he made use of in handing up the case of Gorajee Pol, on the 7th September, in which Nursoo Punt was implicated, and in his 23d and 24th paras. has stated that he made reiterated requests that the case might be gone into before he left for Egypt, volunteering any additional information that might be requisite to complete any defects in his reports.

3. The chief secretary begs to refer to the Right honourable the Governor's minute on Gorajee Pol's case, the date of which, 28th December, shows that the papers were in circulation during the time Colonel Outram was in Bombay, and that the chief secretary could not at that time know whether any further information was considered requisite by the members of the Board. The minutes show that no further information was considered necessary, the matter was as usual disposed of as complete, a course which leaves it open to the local officer to re-open the case or not, as he may consider advisable.

Para. 30.

4. The chief secretary is aware that, as stated by Colonel Outram in his 30th para., both Mr. Reid and Mr. Willoughby received anonymous letters sent to them, addressed through the ladies of their families, requesting their support for Hurree Bhugtee's claim in the dispute between that firm and the sons of the late Gungadhur Shastree. The chief secretary can also state, from personal communication with those gentlemen, that so far from there being, as Colonel Outram states, "no doubt from whom it came," there was no clue whatever at the time to trace the letters. The chief secretary now believes that Craig was the author of these letters, but this belief arises from the discovery of the baseness of that man's character and actions, made subsequently to that period. It will be in the recollection of the Right honourable the Governor that Mr. Willoughby produced in Council the letter which he had received, and that Mr. Reid mentioned at the same time that one of a similar nature had been sent to him, and that no clue to the writer of them could be discovered.

5. In the 31st para. Colonel Outram states, "on the 25th November, Government received a petition from Baroda, in which Nursoo Punt was accused of having openly boasted of the impunity which he and his friends enjoyed through Mr. Reid's favour, the petition was not sent to the Acting Resident to have the authenticity of its allegations inquired into, till the 4th January 1849."

6. The petition thus alluded to was written in the native character, and consequently was taken in by the Persian Department for translation; it was there received on the 25th November 1848, and after considerable delay, to be easily accounted for from the arrears of business at that time existing in that department, the translation was sent to the Political Department on the 20th December; on the following day it was sent in circulation, whence it was returned to the chief secretary on the 2d January 1849. The orders in the case of Hurree Bhugtee and Govind Rao Gaekwar, were issued on the 15th December, on minutes by the Right honourable the Governor, dated 20th November, Mr. Reid, 24th idem; Mr. Willoughby, 2d December, and a short one by the Governor, concurred in by the Board, of the 5th December.

7. On the 2d January the pseudonymous petition was returned from circulation, and on the 4th was sent to the Resident for report, as to whether it was a *bonâ fide* petition or not.

8. On the 28th December the Right honourable the Governor's minute, in the case of Hurree Bhugtee *v.* Ghorajee Pol, was written, it was concurred in by his Excellency the Commander-in-Chief, and the Honourable Mr. Reid, and on the

the 30th December by the Honourable Mr. Willoughby, in a separate minute. The date of the return of these papers escaped registry, the only date of return being the 11th January, when the draft letter, which must have taken some time to prepare, was returned approved by the Board. But the chief secretary is nearly certain that these papers were returned simultaneously with the proceedings on Nursoo Punt's petition to be allowed to retire on his pension, which reached the office on the 3d January, and which was no doubt purposely detained in circulation (the minute is dated the 7th October) until the decision on the charges against Nursoo Punt, in Gorajee Pol's case, had been disposed of, as until that was decided it was not certain that the minute on the petition would stand; thus the whole of the matters under consideration had been disposed of on the 3d January, the date of the letter signed J. R. Maurice.

9. The minute on the pseudonymous petition was, "I would send this and the original to Captain French, that he may discover whether it is a *bonâ fide* petition from a person." Under which order it was sent to the Acting Resident at Baroda, on the 4th January. The usual mode of disposing of petitions is to send them for opinion, and report. It will be observed that the difference in the order on this occasion is quite sufficient to show that it was considered pseudonymous, and that the unsupported accusations it might contain could not affect any decision of Government on other matters, while the date of its receipt from the Persian Secretary's Office was five days subsequent to the communication to the Resident of the decision on Hurree Bhugtee's case, issued on the 15th December.

10. Were decisions on important cases to be deferred pending further references on pseudonymous or anonymous petitions, it would be in the power of any interested or malicious person to cause indefinite delay to public business.

11. In his 34th para., Colonel Outram alludes to the letter stated to have been shown by Nursoo Punt at Baroda, purporting to be from Mr. J. R. Maurice, while from the similarity of the sound of the name, it would seem that he at first suspected the writer of it to be Mr. J. Morris, the respectable assistant registrar in the Sudder Adawlut; I shall state all that has come to my knowledge concerning it.

12. In the year 1849, sometime between March and June, the letter in question, signed J. R. Maurice, was sent by Nursoo Punt, as he states, for discovery of the writer, to Mr. J. Morris, the assistant registrar, in the Sudder Adawlut, who brought it to the notice of the assistants in the General (Mr. Rouquet) and Revenue Departments (Mr. Showell) of the Secretariat, that they might try to trace the writing. Mr. Showell took it to Mr. Thomas, the assistant in the Political Department, who brought it to the chief secretary, who in vain endeavoured to trace likenesses in the writing to any in the political branch of the Secretariat; and the other assistants were equally unsuccessful in the departments to which they belonged. The chief secretary could not discover by whom, at the date of the letter, the minutes might have been seen, as there had been no particular secrecy used nor enjoined; but they must have been seen by Mr. Craig, by whom the minute book and Bengal abstract entries were always prepared. It is not clear, from the letter, what minutes were before the writer when he penned it; but as that of the Right honourable the Governor, dated 28th December, was copied fair in the office by a sectioner, it must have been known to Craig, who registered the sectioners' work; and from the letter, it is evident that any one in the office who had seen the minutes, or any one out of it, who knew the results of the deliberations, might have written the letter in question. In short, although there was ample reason to infer that the letter emanated from some one who had had an opportunity of knowing what was the result of the inquiry into Gorajee Pol's and Hurree Bhugtee's cases, there was no ground to fix it on any one person in particular.

13. Increased vigilance had been about that time exercised in the Political Department, in consequence of the detection of Bhasker Bhaeset in the act of returning a letter which had been taken away over night, and who was dismissed in consequence. The principal part in this discovery was taken by Mr. R. D. Craig, the person above-mentioned, who was superintendent of sectioners, and who the chief secretary now believes to have been the chief person through whom information was obtained from the Political Department—a man who having

been employed for 12 or 13 years, and during nearly the whole of that time confidentially so in the Secret Department, had the means of procuring almost any information he pleased. A man of a reserved disposition, belonging to the Free Church of Scotland, strict in the performance of religious formalities, and whose conduct in his official duties, even after the detection of his immorality, was apparently so guarded and steady that no suspicion ever attached itself to him.

14. It may not, perhaps, be irrelevant to remark that, though the chief secretary believes that Craig was the author of the letter signed J. R. Maurice, and of those addressed to Messrs. Reid and Willoughby, there has not, even since his departure, been discovered any clue to the handwriting of the body of the petition, the suspicion being chiefly founded on the discoveries subsequently made concerning Craig's character, his connexion with Hurree Bhugtee, as shown in the evidence received from Colonel Outram, and the opportunities which he had of obtaining the information which he wished to give; the only similarities in the writing in the petition being the word "secret" on the envelope, which is considered by some persons to be like his writing; and that the signature J. R. Maurice is corrected with a different kind of ink, exactly in the same manner as the signature attached to a letter known to be Craig's, which he forged, as the "death-bed confession" of a man on whose memory he wished to fasten the charge of having seduced his wife's unmarried sister—an incestuous crime of which he was himself guilty.

Bombay, 22 January 1852.

(signed) *A. Malet,*
Chief Secretary.

— No. 3. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

I HAVE purposely avoided recording any remark on Lieutenant-colonel Outram's Letter No. 61 (dated 10 April 1851), or on the Statement of Facts against Nursoo Punt which accompanied it, until Mr. W. E. Frere's inquiries into the validity of the charges against that individual should have been brought to a close. These inquiries have now terminated; and it would have been unnecessary to notice any further either the above letter or its enclosure, were it not that I deem it proper to animadvert upon the manner in which the name of our late colleague, the Honourable Mr. Reid, has been introduced into the charges urged against Nursoo Punt. I do not consider it necessary to attempt a defence of Mr. Reid's character; that requires no vindication; but I wish that the Honourable Court may be fully aware of the displeasure with which we have regarded insinuations that, during the recent proceedings held before the Commissioner, have proved to be so totally groundless.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

14 February 1852.

(True extract.)

(signed) *A. Malet,* Chief Secretary.

26.

Collection No. 9 of No. 24, Bombay Political Department,
Letter from, dated 3 March 1852.

NURSOO PUNT, and Four Karkoons of the Residency at Baroda.

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Bombay Castle, }
3 March 1852. }

(signed) A. Malet,
Chief Secretary.

— No. 1. —

Extract Bombay Political Consultation, 7 May 1851.

No. 62 of 1851.—Political Department.

From Lieutenant-colonel J. Outram, c.B., Resident, Baroda, to Arthur Malet, Esq.,
Chief Secretary to Government, Bombay. No. 3,254.

Sir,

My report on the case of Joutabae Settannee*, my statements of facts relative to Nursoo Punt†, and various documents I have had the honour to transmit during the last 12 months, have made Government aware that one pregnant source of embarrassment to myself, and of detriment to the interests of justice, is the complicity of members of my office establishment with those very men whose misdeeds it has been their duty to aid me in unravelling and exposing.

* Dated 31 March 1851.

† Dated 6 April 1851.

2. In September 1848 I illustrated that complicity in the person of Nursoo Punt, my native agent, not anticipating that Government would form so low an estimate of my judgment, and of my moral perceptions, as to believe me capable
560. 6 x 3 of

of lightly or on insufficient grounds, assailing the reputation of a native servant ; and not desiring that Government should inflict on Nursoo Punt any severer punishment than a censure, I did not think it necessary to enter into a legal proof of my assertions. I felt certain I should receive the sympathy of Government, and all the aid and countenance derivable from a strong expression of their displeasure with the conduct of my native agent.

3. But I was disappointed ; Government not only thought me capable of assailing the character of a native servant on insufficient grounds, but officially stigmatized me as one who had done so ; and instead of censuring the man in whom I had reported I could no longer place confidence, they invited him to remain in the highest and most confidential post in my native office establishment.

4. Their invitation, which as I have already shown, was attributed to the corrupt agency of a member of Council, was accepted, and my report on the case of Joutabae Settanee has exhibited to Government the humiliating results of that invitation. It resulted in the success of a foul and heartless conspiracy against a widow entitled to British protection, and it brought much obloquy and scandal on the British name.

5. Having proved this, having shown that the man whom the Government pronounced "a faithful servant of Government," of a "long and unblemished service," was an unprincipled man, the recipient of bribes, the foul libeller of Government, the deceiver of his official superiors, and in collusion with a criminal of stupendous guilt, I trust that Government will not again consider me as indulging in reckless or unfounded accusations, when I beg to be relieved from the presence of other members of my native office establishment, on the ground of their untrustworthiness, even though I cannot afford full legal demonstration of their complicity with the rogues whose villanies it has been my duty to expose, except in the case of the principal Narrian Row, first carkoon in my office ; against this man I have now, I think, sufficient evidence to secure his conviction in any court of law, on the charge of betrayal of confidence, conspiracy, and perjury. As regards merely his collusion with Nursoo Punt, what has been already adduced in my reports dated 30th July 1850, No. 179 ; 7th September 1850, No. 207 A. ; and 31st March 1851, No. 47 ; affords, I conceive, tolerably strong presumptions on that score. But though I believe I should be able to afford full legal evidence of his guilt of the crimes above specified, I would rather be spared the sickening and harassing task of tracing his various acts of misconduct. The evidence I have already furnished regarding Nursoo Punt will enable Government to display in a marked and emphatic manner, their abhorrence of proceedings similar to his ; if such a display be made, I should be quite satisfied with the removal of Narrian Row, and those whom I believe to be his tools and confederates.

6. Were I consulted in the matter, I should indeed, and with all the earnestness in my power recommend their immediate dismissal *in toto* from Government service, and in support of that recommendation I would quote the following reply of the Agra Sudder Adawlut to a report made by J. C. Wilson, Esq., collector and magistrate of Moradabad, as given in one of the N. W. P. newspapers :—

" Present : A. W. Begbie, H. Lushington, H. W. Dean, and S. S. Brown,
Judges.

" Sir,

" THE court having now received a copy of your final report to Government on the result of the investigation into the charges preferred against the native officers of their establishment, desire to avail themselves of this occasion to tender to you their thanks for the vigour, patience, and perseverance with which you have carried out the difficult and delicate duty entrusted to you. Facts have been brought to light on the recent trials, which leave no doubt whatever on the mind of the court, that for many years the most open and flagrant corruption has prevailed throughout all the native departments of the office immediate subordinate to them. Under your exertions, however, the exemplary punishment of some of the offenders has been brought about, whilst in other cases, in which the proof of criminality has been thought to fall short of the required standard, the accused have been dismissed from their situations. The court fully and
cordially

cordially contributed to break up a system in the subversion of which the honour of the British Government, not less than the interests of the public at large, was so deeply concerned.

(signed) "T. B. Pearson,
"Register to the Court of S. D. and F. Adawlut."
"To J. C. Wilson, Esq."

7. Were I consulted regarding the disposal of Narrian Row and his friends, I would respectfully submit, that if presumptive evidence "short of the required standard" be enough to justify the dismissal of public servants in a revenue office, much less ought to be required for the dismissal of public servants in an office like my own, the duties of which involve not only revenue, but judicial and political matters. In such an office I would respectfully submit, that mere strong suspicion of a servant's honesty, mere want of confidence in him on the part of the head of the office, should justify his dismissal, more especially when it is known that the office has for a series of years been a den of foul conspiracy and corruption. And when it is known that the head of the office is a gentleman of 32 years' experience of native character, who has never expressed suspicion which events did not justify, and prove to have been well grounded.

8. I repeat, that were Government to consult me in the matter, I would urge the dismissal from its service of the individuals to whom I allude. But so anxious am I to be relieved of their presence, that so long as they are removed I would not care whether or not they were transferred to another office.

9. Summary and complete dismissal I would, however, observe, is accordant with the practice of Government, as shown by the removal of Hurreelall from the office of native agent in 1843, on the general ground that "he does not possess the confidence of Government." And the measure is in accordance with the sentiments of no less an authority than that of the late Mr. Sutherland, who, filling the office of Resident after he had served the prescribed period in Council, thus expressed himself in a letter which he addressed to Government on the 14th September 1838: "I believe in every part of the world strong suspicion of infidelity would be sufficient to warrant instant removal of an employé in a political situation."

10. The men to whom I allude, and whose removal I crave, are as follows:

- | | | | | | | | |
|----------------|---|---|---|---|---|---|--------------|
| 1. Narrian Row | - | - | - | - | - | - | 1st Carkoon. |
| 2. Narrian Row | - | - | - | - | - | - | Carkoon. |
| 3. Moroba | - | - | - | - | - | - | Carkoon. |
| 4. Syud Abdool | - | - | - | - | - | - | Moonshie. |

Regarding the first of them, I have already said all that it is necessary to advance in this letter. As regards the rest, I have only to observe, that though I am unable to convict them of complicity with Nursoo Punt, I have quite as strong grounds for my suspicions as those which first led me to conclude, with what painful accuracy Government well know, that Nursoo Punt was in collusion with Baba Nafra. Two of them, I may mention, were appointed through the interest of Nursoo Punt,* and were notoriously his friends and partial confidants—confidants to the extent that suited Nursoo's views—and all of them are the friends and confidants, and, I have reason to believe, the confederates of Narrian Row.

11. In conclusion, I beg to refer to my reports on the case of Joutabae Setanee, and to my Statement of Facts relating to Nursoo Punt, for a full explanation of the causes which prevent my being able to afford full legal evidence of the guilt of the men I denounce. The difficulties I have in doing so, to quote the words of my statement relative to Nursoo Punt, "Arise in part from the fact, that the leading men in the city and in the Durbar are all more or less criminally connected with Baba Nafra and his kinsman Nursoo Punt, and in part from the fact that all are more or less interested in perpetuating the system of 'khutput,' which it has been the object of my investigations to upset; But the

* One of these (Moroba) Nursoo brought with him from the Deccan as his cook; and four years ago he got the man appointed to a situation in the office of 20 rupees per mensem.

the principal difficulties I have had to overcome arise from the conviction, deeply rooted in the minds of all, that I am working against Government, or rather, that the Government is working against me." How that conviction has arisen and gained strength is fully explained in the despatch from which the preceding words are taken.

12. Under the circumstances above stated, I cannot permit the duties of my office to be further obstructed, and its secrets betrayed, by the unfaithful carkoons and moonshie who are the subject of this despatch; and accordingly I have suspended them from office from this date, pending the orders of Government.

Baroda Residency,
11 April 1851.

I have, &c.
(signed) *J. Outram*, Resident.

No. 3,255.

— No. 2. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

COLONEL OUTRAM may be informed that giving every weight to the opinions expressed, as well as to the statements embodied in this letter, Government see no reason to disapprove a step of this kind taken on what he deems very sufficient grounds, by one of the highest of its diplomatic officers, pending the consideration of the case.

28 April 1851.

(signed) *Falkland*.
J. P. Willoughby.
D. A. Blane.

— No. 3. —

No. 1,843 of 1851.—Political Department.

No. 3,256.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c. B., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 62, dated the 11th instant, reporting that you have for the reasons therein given, suspended the four carkoons named in the margin, belonging to the native establishment of the Baroda residency.

2. In reply, I am desired to inform you that giving every weight to the opinions expressed, as well as to the statements embodied in your present letter, Government, pending the consideration of the case, see no reason to disapprove a step of this kind taken on what is deemed very sufficient grounds, by one of the highest of its diplomatic officers.

Bombay Castle,
29 April 1851.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

— No. 4. —

No. 4,988.

No. 762 of 1851.—Persian Department, 17 June 1851.

SUBSTANCE of a Petition from Moro Hury, Karkoon of the Baroda Residency, to the Right Honourable the Governor in Council, dated 19th, and received 23d April 1851.

I BEG to submit the following representation regarding my suspension from office by the Resident without any inquiry.

On the 11th instant, Lieutenant Battye, Assistant Resident at Baroda, intimated to me, that pending the receipt of a reply from Government, the Resident had given orders to suspend me and others, karkoons, for having been concerned in the fraudulent removal of papers from the office, effected by Nursoo Luxoomun, the late native agent, I have therefore been obliged to stop at home.

2d. The

2. The above thing is quite impossible, and I know nothing about it; I therefore submitted a petition to the Resident, requesting him to let me know what suspicion he entertained, to receive my explanation, and to restore me to my situation. He, however, did not read it, and returned it to me, saying that he would not receive it; I beg to send it herewith, for the information of Government. Government will perceive from it that I have been suspended without any inquiry.

3. I receive 18 rupees 8 annas from the Residency. Ever since my appointment I have been serving Government zealously, faithfully, and honestly, in the hope of promotion. The orders of Government and the usual practice are that a person shall not in any way be interfered with until he is proved to have committed a crime. Without any inquiry, I have been charged with having been concerned in a fraud, and have been suspended from office, and a report has been made to Government. I do not know what particular crime is laid to my charge, and the Resident will not receive my petition.

4. I request Government to let me know the purport of the Resident's report, to receive my explanation in regard to it, and then to consider the matter, when Government will be fully convinced that I have been suspended without any fault on my part.

I request Government to take the above four paragraphs into consideration, to grant me redress, and to issue orders for my restoration to office. I have a family to support, and the discontinuance of my pay has reduced us to want.

(signed) *A. Richardson,*
Deputy Secretary to Government.

N. B. Similar petitions have been received from,

1. Narrayen Rao Chimnaje Kalay, head karkoon of the Baroda Residency, dated 17th April 1851.

2. Moonshee Syud Abdoor Ruzak, of the Baroda Residency, dated 19th April 1851.

(signed) *A. Richardson,*
Deputy Secretary to Government.

— No. 5. —

MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell*.

No. 4989.

PETITIONERS may be referred to the Resident at Baroda, who will inform them that no further orders will be given pending the completion of inquiries now in progress at Baroda.

18 June 1851. (signed) *D. A. Blane,*
A. Bell.

— No. 6. —

No. 2759 of 1851.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c. b., Resident at Baroda.

No. 4990.

Sir,

I AM directed by the Right honourable the Governor in Council to acquaint you that three petitions have been received from three karkoons of the Baroda Residency, named in the margin, complaining of their suspension from office, and to request that you will be pleased to inform these individuals (who have been referred to you) that no further orders will be given pending the completion of the inquiries now in progress at Baroda.

1. Moro Narrayen.
2. Narrayen Rao Chimnaje.
3. Moonshee Syud Abdoor Ruzak.

Bombay Castle, }
27 June 1851. }

I have, &c.
(signed) *A. Malet,*
Chief Secretary.

— No. 7. —

No. 2760 of 1851.

No. 4991.

RESOLUTION of Government in the Political Department.

1. WITH reference to the translation of a petition from Moro Hury, dated the 19th April last, Ordered, that the petitioner be referred from the Persian department to the Resident at Baroda.

2. Ordered, further, that the same course be followed with reference to the similar petitions from Narrayen Rao Chimnaje Kalay and Moonshee Syud Abdoor Ruzak, dated respectively the 17th and 19th April last.

Bombay Castle, }
27 June 1851. }

(signed) *A. Malet*,
Chief Secretary.

— No. 8. —

No. 1405.

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane*.

1. IN his letter dated the 11th April last, No. 62 of 1851, Lieutenant-colonel Outram, late Resident at Baroda, drew our attention to his final report, dated the 31st of the preceding month, in the case of Joitabae Setanee, and to his "statement of facts relative to Nursoo Punt," which he had submitted to Government on the 6th of the former month (April 1851), as showing that one pregnant source of embarrassment to himself and of detriment to the interests of justice, is the complicity of members of his office establishment with those very men whose misdeeds it has been their duty to aid him in unravelling and exposing.

2. In the 5th para. of the above letter, Lieutenant-colonel Outram remarked as follows: "Having shown that the man (Nursoo Punt) whom the Government pronounced 'a faithful servant of the Government,' 'of a long and unblemished service,' was an unprincipled man, the recipient of bribes, the foul libeller of Government, the deceiver of his official superiors, and in collusion with a criminal of stupendous guilt, I trust that Government will not again consider me as indulging in reckless or unfounded accusations, when I beg to be relieved from the presence of other members of my native office establishment, on the ground of their untrustworthiness, even though I cannot afford full legal demonstration of their complicity with the rogues whose villanies it has been my duty to expose, except in the case of the principal, Narrayen Rao, first karkoon in my office; against this man, I have now, I think, sufficient evidence to secure his conviction in any court of law, on the charge of betrayal of confidence, conspiracy, and perjury. As regards merely his collusion with Nursoo Punt, what has been already adduced in my reports, dated 30th July 1850, No. 179; 7th September 1850, No. 207 A.; and 31st March 1851, No. 47, afford, I conceive, tolerably strong presumptions on that score. But though I believe I should be able to afford full legal evidence of his guilt of the crimes above specified, I would rather be spared the sickening and harassing task of tracing his various acts of misconduct. The evidence I have already furnished regarding Nursoo Punt will enable Government to display, in a marked and emphatic manner, their abhorrence of proceedings similar to his; if such a display be made, I should be quite satisfied with the removal of Narrayen Rao, and those whom I believe to be his tools and confederates."

3. In the 7th and the following paras. of the same report, Lieutenant-colonel Outram observed, "Were I consulted regarding the disposal of Narrayen Rao and his friends, I would respectfully submit, that if presumptive evidence 'short of the required standard' be enough to justify the dismissal of public servants in a revenue office, much less ought to be required for the dismissal of public servants in an office like my own, the duties of which involve not only revenue, but judicial and political matters. In such an office I would respectfully submit,

submit, that mere strong suspicion of a servant's honesty, mere want of confidence in him on the part of the head of the office, should justify his dismissal, more especially when it is known that the office has for a series of years been a den of foul conspiracy and corruption, and when it is known that the head of the office is a gentleman of 32 years' experience of native character, who has never expressed suspicion which events did not justify, and prove to have been well grounded.

"I repeat, that were Government to consult me in the matter, I would urge the dismissal from its service of the individuals to whom I allude. But, so anxious am I to be relieved of their presence, that, so long as they are removed, I would not care whether or not they were transferred to another office.

"Summary and complete dismissal I would, however, observe, is accordant with the practice of Government, as shown by the removal of Hurreelall from the office of native agent in 1843, 'on the general ground that he does not possess the confidence of Government,' and the measure is in accordance with the sentiments of no less an authority than that of the late Mr. Sutherland, who, filling the office of Resident, after he had served the prescribed period in Council, thus expressed himself in a letter which he addressed to Government on the 14th September 1838: 'I believe, in every part of the world, strong suspicion of infidelity would be sufficient to warrant instant removal of an *employé* in a political situation.'

"The men to whom I allude, and whose removal I crave, are as follows :

- " 1. Narrain Rao, 1st carkoon.
- " 2. Narrain Rao, carkoon.
- " 3. Moraba, carkoon.
- " 4. Syud Abdool, moonshee.

"Regarding the first of them, I have already said all that it is necessary to advance in this letter. As regards the rest, I have only to observe, that though I am unable to convict them of complicity with Nursoo Punt, I have quite as strong grounds for my suspicions as those which first led me to conclude, with what painful accuracy Government well know, that Nursoo Punt was in collusion with Baba Nafra. Two of them, I may mention, were appointed through the interest of Nursoo Punt,* and were notoriously his friends and partial confidants, confidants to the extent that suited Nursoo's views; and all of them are the friends and confidants, I have reason to believe the confederates, of Narrain Rao.

"In conclusion, I beg to refer to my reports on the case of Joitabhaee Setanee, and to my 'statement of facts' relating to Nursoo Punt, for a full explanation of the causes which prevent my being able to afford full legal evidence of the guilt of the men I denounce. The difficulties I have in doing so, to quote the words of my statement relative to Nursoo Punt, 'arise, in part, from the fact that the leading men in the city, and in the Durbar, are all more or less criminally connected with Baba Nafra and his kinsman, Nursoo Punt, and, in part, from the fact that all are more or less interested in perpetuating the system of 'khatput,' which it has been the object of my investigations to upset. But the principal difficulties I have had to overcome, arise from the conviction, deeply-rooted in the minds of all, that I am working against Government, or rather, that the Government is working against me.' How that conviction has arisen and gained strength, is fully explained in the despatch from which the preceding words are taken.

"Under the circumstances above stated, I cannot permit the duties of my office to be further obstructed, and its secrets betrayed, by the unfaithful karkoons and moonshee who are the subject of this despatch, and accordingly I have suspended them from office from this date, pending the orders of Government."

4. In reply to the communication from which I have made the above extracts, Lieutenant-colonel Outram was informed as follows: "Giving every weight to the opinions expressed, as well as to the statements embodied in your present letter, Government, pending consideration of the case, sees no reason to dis-

approve

* "One of these (Moroba) Nursoo brought with him from the Deccan-as his cook; and four years ago he got the man appointed to a situation in the office of 20 rupees per mensem."

approve a step of this kind, taken on what is deemed very sufficient grounds, by one of the highest of its diplomatic officers."

5. Considering the proof of misconduct against Nursoo Punt, the native agent, as well as the grave suspicions which rest against him, and the apparent connexion between him and the carkoons suspended from office by Colonel Outram, I am of opinion that it will be well that these persons should not continue to be employed in the Baroda Residency establishment; I would therefore require them to resign their appointments immediately, but as a special case, I would allow them to draw so much of their pay as has not been paid to others for doing their duty during their suspension.

18 February 1852.

(signed) *Falkland.*
D. A. Blane.

I defer,

(signed) *A. Bell.*

— No. 9. —

No. 1406.

No. 789 of 1852.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *J. M. Davies*, Esq., Resident at Baroda, dated 24th February 1852.

Sir,

WITH reference to your predecessor's letter, No. 62, dated the 11th April last, and to my reply, No. 2759, dated the 27th June following, I am directed to inform you that Nursoo Punt, the late native agent at Baroda, having by the investigation recently conducted by Mr. Frere, been proved to have been guilty of corrupt conduct, and there being grounds for believing that he was assisted therein by the four carkoons mentioned in the margin, who were suspended from office by Lieutenant-colonel Outram, the Right honourable the Governor in Council is of opinion it will be advisable that these persons should not continue to be employed in the Baroda Residency establishment.

1. Narrain Rao,
1st carkoon.
2. Narrain Rao,
carkoon.
3. Moroba, carkoon.
4. Syed Abdool,
moonshee.

2. I am to request, therefore, that you will require these persons to resign their appointments immediately, but as a special case, his Lordship in Council will allow them to draw so much of their pay as has not been paid to others for doing their duty during their suspension.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 24 February 1852.

No. 790 and 791.

COPY of the above letter to the Resident at Baroda, No. 789, of this day's date, to be sent to the Accountant-general and Civil Auditor, for information.

(signed) *A. Malet*,
Bombay Castle, 24 February 1852. Chief Secretary.

(True extract.)

(signed) *A. Malet*, Chief Secretary.

27.

Collection No. 1 of No. 15, Bombay Political Department,
Letter from, dated 3 February 1852.

Information illicitly obtained at Baroda from the Bombay Secretariat,
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Bombay Castle, }
3 February 1852. }

A. Malet,
Chief Secretary.

-- No. 1. --

Extract Bombay Secret Consultation.

From Lieutenant-colonel *J. Outram*, c.b., Resident at Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay.

My dear Mr. Malet,

WE have at last unearthed the scoundrel who betrays the secrets of the council chamber, or at least certain means of doing so, if you will immediately on receipt of this cause Dajee Dhondoo Salhay, the karbaree of Venaik Shastree, to be summoned before you, and take down his deposition as to how he obtained certain minutes of Council, translations of which he forwarded to his brother* in a letter under cover, to the address of another, which reached Baroda about a week ago. The subject of these minutes was Krishna Row Wittul's case, the entire deliberations of the Governor and his councillors on which are duly transcribed by Mr. Dajee for the Durbar; and not only so, but in another letter regular lawyer-like instructions are furnished to the Durbar as to how each point of reference suggested in Mr. Blane's minute should be answered, &c.

* Wamon Row
Dhondoo Satthay,
karbaree of Bhicco
Shunker Shastree.

How these letters came to hand will be duly reported, and the originals will be furnished to you so soon as translations can be prepared; but do not wait for them to ground your examination of Dajee, who will of course be immediately put on his guard from Baroda, and thus find some means to frustrate your inquiries. The outline I have given of the nature of the papers he forwarded will enable you to put such general questions to him as will doubtless elicit the whole of the information you require as to the traitor among your subordinates, if he be only examined at once, before the united cunning of Nursoo Punt, Bhow Tambakur, and Wamon Row, who will put their heads together to-night, has suggested to Dajee the steps he should adopt to baffle your inquiry.

It must be some one entirely in the confidence of Government, and who has access to the most secret records of Council, who thus betrays Government; for

the entire substance, if not literal translations, are given of the minutes of the Governor, Mr. Blane, and Mr. Bell (the second being a long one), and of course in the same manner as the deliberations of Council on the Krishna Row Wittul case have been betrayed, so are they of every other matter on which the Council deliberates. As Dajee has furnished this information, surely he can be compelled to say from whom he received it, and will do so readily in the alarm and confusion of first examination, if questioned before he has had time to receive the communications of his Baroda friends, who doubtless will instigate him to suffer anything rather than disclose the source of his information.

No objection can be taken to the manner in which these documents come to my knowledge. The post-office clerk was ordered by me to stop any letters that might arrive to certain addresses, and only to deliver them in my presence. The persons to whom they were addressed were sent for; the letters were received by them from the clerk, and then they were called upon to open them in my presence. They did so, when inside of each was found another letter addressed to Wamon Row, not a word to themselves. Wamon Row was then desired to open those to his address, and the result has been as I say. But I fear I shall not be able to get off my report even to-morrow, there is so much to translate; so pray do not wait for it as a ground for commencing proceedings with Dajee.

I doubt not you get all sorts of misrepresentations of my proceedings just now, and even the Guicowar himself may have been induced to join in such misrepresentations, advantage having been taken to irritate him against me, because I could not follow his Dussara procession (though present to do him all honour when the troops saluted). But you know Baroda and its people too well to allow Government to be misled by such.

Ever most sincerely yours,

Baroda, 8 October 1851.

(signed) *J. Outram*, Resident.

— No. 2. —

MEMORANDUM by the Chief Secretary.

THE Chief Secretary to Government begs to circulate a demi-official note from Colonel Outram, received at half-past one P.M. to-day, and to solicit the instructions of the Honourable Board in the matter.

(signed) *A. Malet*, Chief Secretary.

12 October 1851.

— No. 3. —

MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell*.

I SEE no objection to Dajee Dhondoo Sathay being sent for by the chief secretary, and questioned on the subject of Colonel Outram's letter.

In case of his declining to reply, it would not appear that compulsion of any kind can be resorted to.

(signed) *D. A. Blane*,
A. Bell.

12 October 1851.

— No. 4. —

MEMORANDUM by the Chief Secretary.

THESE papers were returned to me at four, P.M., and I immediately sent a peon to Dajee Dhondoo Sathay, to request him to come to my house. I gave the peon a note to give to him in case he should be disinclined to come, and directed the peon to come with him.

Dajee Dhondoo Sathay attended me a little after five, P.M., and altogether denies that he has ever sent to his brother, or in letters to his brother, any intelligence whatever relative to affairs between Government and Baroda, except, perhaps, sometimes such matters as may be subjects of conversation amongst persons in Bombay. He denies that he has ever in any instance been engaged in obtaining information in Bombay for people in Baroda from the Government Secretariat, and affirms that neither himself nor his brother have ever done such things; he says that if anything has ever been discovered in a letter of his to his brother, which is not according to what he has stated above, it must have been managed by some enemy to do him harm. The names of the two persons he sometimes sends his letters to at Baroda are Bulwunt Row Narrien and Govind Rao Mundhar, and he directs to them occasionally, lest his brother, who is not constantly at Baroda, should not be at hand to open his letters, in which he sometimes encloses letters to other persons, so that in his absence delay would occur.

His protestations are more earnest, but his manner is that of a clever man, who, if not innocent, has no difficulty whatever in making up a plausible story to lull suspicion.

(signed) *A. Malet*, Chief Secretary.

12 October 1851.

P.S.—He stated also that he sometimes sent other persons letters enclosed to his brother, as it saved postage, but that he never kept any memorandum of their names, and therefore could not tell whose letters had been sent on any occasion.

(signed) *A. Malet*, Chief Secretary.

— No. 5. —

MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell*.

THE above may be communicated to Colonel Outram.

(signed) *D. A. Blane.*
A. Bell.

12 October 1851.

— No. 6. —

MINUTE by the Right honourable the Governor, without date.

THESE papers have caused me some surprise and anxiety. The Chief Secretary will, of course, keep us informed of the progress of these inquiries, and place before us, as soon as received, Colonel Outram's promised official letter and its accompaniments.

I should wish also that the original minutes, of which we are told translations have been sent to Baroda, should be forwarded with the above papers.

(signed) *Falkland.*

— No. 7. —

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c.b., Resident at Baroda.

Sir,

WITH reference to your demi-official letter, dated 8th instant, received yesterday, I am directed by the Right honourable the Governor in Council to inform you that Dajee Dhondoo Sathe was yesterday summoned before me, and emphatically denied that he has ever sent to his brother, or in letters to his brother, any intelligence whatever relative to affairs between Government and the Baroda Durbar, excepting that he has sometimes mentioned matters of that nature which may have formed a topic of conversation in Bombay, and so come to his knowledge.

He also denied that he has ever in any instance been engaged in obtaining information in Bombay from the Government Secretariat, and said that if anything of that nature has ever been discovered in any letter sent by him to his brother, it must have been the result of the machination of some enemy of his.

He stated that he sometimes sends letters intended for his brother to two connexions of his, named Bulwunt Row Narrayen and Govind Row Mundhar, as his brother being not always at Baroda, any other letters that might be enclosed would otherwise be delayed. He declared that he had no means of knowing whose letters were enclosed by him on any particular date, as he kept no memorandum of their names.

I have, &c.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 13 October 1851.

P.S.—The cover of your letter bears date the 9th instant, though dated the 8th, and I find that a post of the 9th, and that of the 8th, from Baroda came in yesterday; so that it is not unlikely that Dajee Dhondoo Sathe received advice from Baroda at the same time that your letter reached me.

(signed) *A. Malet*, Chief Secretary.

— No. 8. —

No. 4 of 1851.—Secret Department.

From Lieutenant-colonel *J. Outram*, c.b., Resident, Baroda, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

GOVERNMENT has been repeatedly informed by my predecessors and myself that its most secret councils are systematically betrayed, and communicated to this Durbar; no despatch in the Secret Department even ever reaching the Resident's office the purport of which had not previously been conveyed to the minister.

2. Assured that it must be regarded by the Right honourable the Governor in Council as of paramount importance, and indeed his Lordship's most earnest desire to have the party exposed and brought to punishment who so shamefully betrays his employers, I had long sought, in vain, to ascertain the channel through which the information is conveyed to Baroda.

3. It was not, however, until lately that I obtained the clue which has at last enabled me to furnish Government with the means of reaching the delinquent, as well as to bring all the parties concerned in maintaining this disgraceful system, to the punishment they so richly deserve.

4. On

4. On the 23d ultimo I received an anonymous note from Bombay, which indicated one Wamun Row Dhondoo Sattey, carbarry of the late Bheemashunker Shastry, as the party at Baroda through whom the information is conveyed to the minister, from his brother in Bombay, Dhajee Dondoo Sattey, who obtains it from the secretary's office.

5. I should have little regarded information thus anonymously communicated, had I not reason to believe that my informant does possess extraordinary means of information. This conviction induced me to institute further inquiries, whereby I ascertained that Wamun Row has long been in the habit of receiving letters through the post-office, under cover, to other names as well as his own; a circumstance affording strong ground for believing that his correspondence was of a nature requiring concealment such as indicated by my correspondent.

6. Under these circumstances, I considered that the object to be attained fully warranted my having recourse to a measure which, if not strictly in accordance with the Post-office laws in force within the British territory, will, I trust, be approved by his Lordship in Council, in consideration of the great injury to its interests, which Government have sustained for many years past in connexion with the Baroda State, by the systematic betrayal to this Durbar of its most secret deliberations.

7. I am aware that there is no provision in the Post-office Act authorising what I have done; but I had it in remembrance how, under similar circumstances, Sir James Graham had considered it warrantable to cause the letters of suspected parties to be opened without their knowledge, and that Government had recourse to the same measure during the investigation into the Dhackjee Dadajee affair in 1843, whereas I merely caused suspected parties to open their letters in my presence. The result has been so successful, and the manner in which I have effected my object so little injurious to the feelings of those implicated, that I am satisfied much good will result from my proceedings, which I now proceed to detail.

8. On the 27th ultimo, I addressed a note (No. 1) to the Post-office clerk, requiring him to detain all letters received from Bombay for Wamunrow Sattey, and the persons under the cloak of whose names he corresponded, as also the letters received from him addressed to his brother in Bombay, and likewise any letters that might be received from Narrain Row, one of the suspended carkoons of my office, who I have grounds for believing is the channel through which similar information is obtained from the Secretariat Department attached to his Lordship at Poona.

No. 1.

9. On the 7th instant I desired the Post-office clerk to attend at the residency next day with the letters which had, in consequence, been detained; and the parties to whom they were addressed, or by whom they had been despatched, were summoned to appear before me at the same time.

10. They came accordingly next day (8th), and the clerk having produced the letters (seven in number), on being acknowledged by their owners, delivered them to them, and obtained their receipts for the same. I then required the parties to open the letters in my presence and to display their contents. One letter, addressed to Wamunrow Sattey, had a single cover, and the inclosures were for himself, in the handwriting of his brother, and two were from him to his brother in Bombay. Three letters, addressed to the other parties, when opened by them were found to contain nothing whatever for the persons to whom they were addressed, but each cover inclosed a letter to the address of Wamunrow Sattey, the address of the outer cover being in the same handwriting* (unknown), that of the inclosures in the handwriting of Dajee Dhondey Sattey. The latter Wamunrow was required to open on admitting that they were to his address, as also the two letters from himself to his brother.

11. The seventh letter from Narrainrow, addressed to a Shiristedar in the Revenue Commissioner's Office at Poona, was opened by its owner, and found to contain

* A mistake; Nos. 1, 2, and 4, are in the same handwriting, now ascertained to be that of a carkoon of Venaik Shastree, named Bappojee Gopal Kanekur.

contain two letters addressed to other parties ; but as neither is connected with the Secretary's office, I did not consider it necessary to inspect them, and Narrainrow was permitted to retain them. A subsequent suspicious procedure on his part, however, caused me afterwards to direct him to open them also, but as they appeared to be mere news letters, they were again restored to him after reading only a portion of their contents, which I have now reason to regret, as I have since learned from the carkoon who was reading it that it contained important revelations, which he did not dare to bring openly to my notice in Narrainrow's presence.

No. 2.

12. The manner and result of my inspection of these papers is detailed in the accompanying report ; those alone were retained which I deemed right to lay before Government, the rest being returned to Wamunrow Sattey ; a list of those retained being given to him, and of those restored taken from him.

13. While occupied in preparing translations of these documents for transmission to Government, another letter arrived, addressed as before, to one of the intermediate agents, respecting which the same form having been observed, it was found to contain a letter for Wamunrow Sattey, the contents of which also are herewith communicated.

14. The disclosures in these documents will surprise, not less than distress, his Lordship in Council, for therein will be found not merely the purport, and even transcript of Government despatches, but detailed accounts of the deliberations of Government, and even transcripts of the minutes of each member of the Government, to which not more than two or three, and those the most trusted and esteemed of the Secretariat clerks, could have had access.

15. A portion of the Minutes of Council, translated apparently *verbatim*, in their deliberations on the case of Krishnarow Wittul, will be found in the packet (No. 2) sent under cover to Govindrow Mulhar, inclosed to the address of Wamunrow Dhondeo Sattey. From the reference to this letter in the Enclosure 4 of No. 8 packet, and to an accompanying letter sent the same day, under cover, to Bulwuntrow (Enclosure 3 of No. 1), which latter conveys instructions for the guidance of the Durbar, as to the answers to be given to the Government references regarding Krishnarow Wittul's claims, and the reference also to another letter sent on the previous day, under cover, to Bulwuntrow, through the bazar (native) post, it is evident that the previous portion of these minutes had been transmitted in the latter, and has been duly received.

16. The parties to whom the outer and inner covers of the packet No. 2 (which contained the minutes) are addressed, of course, denied all knowledge of the handwriting, but it will, I believe, be found that the outer covers of all the packets, except No. 3, are in the handwriting of Bappoojee Gopal Kanikar, a letter from whom will be found, numbered 7 of the packet No. 3, and the writing of the inner cover of No. 2 is declared to be that of Dajee Dhondeo Satteh, the writer of most of the letters now forwarded, with which it can be compared. On the second day Wamunrow, who in the interim had consulted his friends, shifted his ground and declared that the packet must have been opened, the contents taken out, and the minutes inserted in their place ; but not only was it decided, before the opening of the covers, by all present, that they had not been tampered with, but Wamunrow, when he opened the inner cover, after narrowly inspecting it, expressed no doubts on the subject. It is little likely that any but the Durbar could afford to pay for, or could have established the agency necessary to obtain such important documents. The only other party interested in the dispute, *i. e.*, Krishnarow Wittul, certainly cannot possess the means or influence in Bombay to obtain them, nor, if he had obtained them, is he likely to have so lightly parted with them, and, as has been noticed, the despatch, on the same day from Bombay, of instructions to the Durbar how to reply to the Resident's expected demands, grounded on these very minutes, establishes the fact that they were obtained for the Durbar, and by the writer of those instructions, Dajee Dhondoo Satteh. The reference, moreover, in his subsequent letter, Enclosure 4 of No. 8, to a packet addressed as that containing the minutes is, having been despatched on the same day as his letter conveying the instructions, leaves no room whatever for subterfuge ; and the brother of Dajee Dhondoo and Wamunrow Sattey are thereby convicted of being the
agents

agents employed by the Baroda Minister to obtain the most secret Government papers, by corrupting confidential servants of the Secretariat, whom, with the clue now afforded, there can be little difficulty in finding out; and I confidently expect that this has already been effected, if the measures suggested in my demi-official letter of the 8th instant were adopted, and promptly carried out.

17. The next document to which I beg to draw attention is Enclosure 1 to No. 8, which you will observe is almost a literal transcript of my despatch to your address, dated 27th ultimo., No. 176.

18. But perhaps the most important of these papers is Enclosure 2 of No. 1, in which allusion is made to certain negotiations lately carried on with parties in Bombay therein mentioned, the principal of whom appears to be Dajee Dhondoo Sattah. It had come to my knowledge, some time ago, that since his Highness's visit to Bombay, persons at the Presidency had held communications with parties at Baroda, with a view of drawing his Highness into expending money to effect the abolition of the Guzerat Horse, in the same manner as his father had been induced to do through the agency of Dhakjee Dadajee. I have no proof of the fact, but I have reasons to think that Dajee and his accomplices have thus obtained considerable sums under false pretences, and it is probable that if Government would institute strict inquiries at the Presidency, grounded on the clue now afforded, authorising me at the same time to investigate the matter here, the truth would come to light. The only step I have taken in the matter in the meantime, has been to question on the subject Govindrow Roreo (the vakeel lately deputed to Bombay). His deposition is appended (E.), from which it will be seen that though he (Govindrow) refused to enter into the business, it had been proposed to him by Anna Shastree, and that Dajee Dhondoo Sattah was referred to as the principal agent in the matter. (E.)

19. The only other documents requiring particular notice, are Enclosures 3 and 5 of No. 8, wherein reference is made to Captain French, which shows that that officer still continues to exert an underhand interference in the affairs of Baroda, against which I formerly had occasion so strongly to protest.

20. The rest of the papers generally display the intimate supervision exercised by Dajee Dhondoo Sattah over all the proceedings of Government, which could only be maintained through the betrayal of their trust by the subordinates of the Secretariat with whom he has effected so mischievous an understanding.

I have, &c.

Baroda Residency,
13 October 1851.

(signed) J. Outram,
Resident.

No. 1.

LIEUTENANT-COLONEL OUTRAM, Resident at Baroda, requests that Ruttonjee, post-office clerk, will detain for the present, any letters to the address of the undermentioned parties, to be delivered hereafter in the Resident's presence; and that the matter may be kept secret, pending a reference made by the Resident to the postmaster-general on the subject, viz. :—

Wamun Row Dhondoo Sattah.
Dajee Dhondoo Sattah.
Govind Mulhar Josee.
Bulwant Row Narrayen Baharrey.
Gunesh Narrayen.

Baroda, 27 September 1851.

(signed) J. Outram, Resident.

(True copy.)

(signed) M. Battye, Assistant Resident.

PROCEEDINGS of an Inquiry held before the Resident at Baroda on the 8th October 1851.

Present, Mr. Battye, Mr. Hykoop, and Soorujram Gungaram, Native Agent.

- No. 1. BULWUNT ROW NARRAYEN BEHARRY, being called, a letter to his address is shown to him by the post-office clerk, which he acknowledges to be addressed to him, and accordingly signs the receipt-book of the post-office for the same on its being delivered to him.
- No. 2 and 3. Govind Row Mulhar Josee, being called, two letters to his address are shown to him by the post-office clerk, which he acknowledges to be addressed to him, and accordingly signs the receipt-book of the post-office for the same on its being delivered.
- No. 4. Wamun Row Dhondeo Satteh, being called, a letter to his address is shown to him by the post-office clerk, which he acknowledges to be addressed to him, and accordingly signs the receipt-book of the post-office for the same on their delivery. Two other letters addressed by Wamun Row to his brother Dajee Dhondeo Satteh, in Bombay, are shown to him, which he acknowledges having written.
- No. 5 and 6.
- No. 1. Bulwunt Row Narayen Beharry, being recalled, is desired to open his letter, No. 1, but before doing so, having expressed suspicion of its having been tampered with, it is submitted to the inspection of Mr. Battye, Mr. Hykoop, and Soorujram Gungaram, native agent, and they are of opinion that the letter in question had no appearance of having been opened. On Bulwunt Row Narayen Beharry opening its cover, he found a closed letter in it, addressed to Wamun Row Dhondeo Satteh (marked Enclosure No. 1). On being asked in whose handwriting is the address on the cover, and on that of the enclosed letter, he replies that he does not know.
- Encl. No. 1.
- No. 2 and 3. Govind Row Mulhar Josee, being recalled, is desired to open his letters, Nos. 2 and 3, but before doing so expresses a suspicion of their having been opened; on this they were inspected by the committee as above, who declare that the letter in question had not the appearance of having been tampered with. On his opening the cover of the letter, No. 2, it was found to contain a closed letter to the address of Wamun Row Dhondeo Satteh. On being asked whether that had any appearance of having been opened, he replies that he suspects so, because there were no strokes on the joins. (N.B.—He had expressed similar suspicions regarding the outer cover, because it had strokes.) On its being inspected by the committee, they declare that it has no appearance of having been opened. On Govind Row being desired to open the letter, No. 3, he expresses the same suspicion as he did regarding No. 2. This letter having been inspected by the committee, they declare that it had not the appearance of having been tampered with. On Govind Row opening this letter, it is found to contain a closed letter to the address of Wamun Row Satteh; but Govind Row Mulhar declares that he is not acquainted with the handwriting either of the outer or inner covers.
- Encl. No. 1 of No. 2.
- Encl. No. 1 of No. 3.
- Encl. No. 1 to 13 of No. 4. Wamun Row Dhondeo Satteh, being recalled, is desired to open his letter, No. 4, which he did without expressing any suspicion as to its having been tampered with. On the letter being opened, 13 enclosures are found, 11 of which are loose papers, and the others two closed chits to the address of Dajee Bhasker Putwurdun and Bulwunt Row Narayen Beharry. Of these Enclosures, Nos. 5, 6, 7, 8, Wamun Row says, appear to be in the handwriting of his brother, but that when he has read them he will speak with more certainty. No. 9, he says, is in the handwriting of the Poona carkoon, Bapoo; No. 10 in that of the Poona carkoon, Beckajee; Nos. 1, 2, 3, and 4, in the handwriting of Venkut-row Shastri. That No. 11 is addressed to Boojun Row, but he does not know the handwriting.
- No. 2. The Enclosures of Nos. 1, 2, and 3, are then shown to Wamun Row Dhondeo, they being to his address, who states he does not recognize the handwriting of the address of Nos. 1 and 2, but that of No. 3 is in the handwriting of his brother. On being told to open No. 3, he admits each Enclosure, Nos. 1, 2, 3, 4, 5, and 6, to be in his brother's handwriting, No. 7 to be in the handwriting of the Poona carkoon, Bapoo. On being directed to open enclosure of No. 2, he takes out two papers, and declares that he does not recognize the handwriting of either paper. On being asked to open enclosure of No. 1, he takes out seven papers, all of which he recognizes as in the handwriting of his brother.
- No. 1.
- No. 4. Bulwunt Row Narayen Beharry is recalled, and a chit to his address, marked 12 of No. 4, is shown to him; he declares he does not know the handwriting of the address written thereon. On opening it he finds a chit to the address of Keshow Row Wamun, and declares he does not know who he is. The chits marked 12 and 13 of No. 4, addressed to Dajee Bhasker and Kristna Row Wamun, are delivered without inspection to Wamun Row Dhondeo, they having been enclosed in the letter to his address, No. 4.
- No. 5 and 6. The letters Nos. 5 and 6, to the address of Dajee Dhondey Satteh, are shown to Wamun Row Dhondeo, who, having started some objections as to why these letters alone should have been stopped, he having, he declared, sent others as well as those to the post-office, is directed to send for, in Tuppal, receipt book, in which it is shown that these two letters alone had been posted since the 27th September, when the letters were first stopped. On being asked whether these two letters had the appearance of having been in any way tampered with, admits that he cannot point out any such indications.

On opening letter No. 6, he admits all the enclosures, from No. 1 to 7, in Mahratta, to have been written by himself. The four written in English he admits he got some one else to write for him. The four English documents, being merely copies of old letters addressed by Government to the Shastree, are returned to Wamun Row.

On opening letter No. 5, four enclosures are taken out, Nos. 1, 2, and 3 of which Wamun Row admits to be in his own handwriting, and No. 4 to be in that of Bhow Shastree's carkoon.

Narrain Row Chimnaje, being called, letter No. 7 is shown to him, the direction of which he admits to be in his own handwriting. On being told to open the letter, he does so, and takes out two letters addressed by others, both to the address of Gunesh Punt Anna Kaley. He is then informed that this letter was stopped on the supposition that it contained a communication to a subordinate of the Secretariat, now with the Governor at Poona; but as the enclosures are found not to be to the address of any person in the Secretariat, he is allowed to take them away without being looked at.

After Narayen Row was dismissed, and had gone out of the residency compound, he was seen to run away in great haste; he was therefore recalled, and informed that this circumstance having excited suspicion, it was deemed necessary that the letters should be read, which accordingly was done, and they were returned to him as being considered to contain nothing of importance, though one of them, from Narrain Row's brother, Abba Kaley, had a suspicious appearance, from its ambiguous strain and various persons referred to therein being fictitiously designated.*

The documents were then sealed up in one packet in the presence of Wamun Row Dhondeo Sattey.

9 October 1851.

Wamun Row Sattey being in attendance, the seal is shown to him, and the packet opened before him. The contents of each of the letters having been read in his presence, such documents as are required for submission to Government are retained, after obtaining Wamun Row's signature thereto, and the rest are returned to him, as follows:—

No. 1. Outer and inner covers, and enclosures 2, 3, and 4, retained.

Enclosures, Nos. 1, 5, and 7, restored.

No. 2. Outer and inner covers, and both enclosures, retained.

No. 3. Outer and inner covers, and enclosures Nos. 1, 2 and 7, retained.

Enclosures Nos. 3, 4, 5, and 6, retained.

No. 4. Outer cover, and Nos. 6 and 7, retained.

These rest restored, i.e. Nos. 1, 2, 3, 4, 5, 8, 9, 10, and 11.

No. 5. Restored.

No. 6. Restored.

10 October 1851.

Wamun Row Dhondeo Sattey being recalled, his examination is taken down in the native character, marked (A).

Ruttonjee, post-office clerk, being called into court, is questioned as follows:

Question. On what dates were the seven letters received, which you detained by the Resident's order?—*Answer.* I received your order on the 27th September; on the 28th, two letters arrived from Bombay, one directed to Bulwant Row Narrain,† and the other to Govind Row Mulhar Josee,‡ which had been despatched from Bombay on the 24th September. On the 30th one from Bombay to Govind Mulhar Josee,§ despatched on the 26th; on the 5th, one from Bombay to Wamun Row Dhondeo Sattey,¶ despatched on the first; on the 1st October one letter for Bombay, directed to Dajee Dhondeo Sattey||; on the 4th, one letter for ditto. On the first, one for Poona,** directed to Gunesh Narayen.††

Were letters for Bulwant Row Narrain, and Govind Row Mulhar, frequently received?—I cannot tell till I refer to the choolams, which I will produce to-morrow.

Were the letters addressed to Bulwant Row, and Govind Row, received by themselves, or by Wamun Row Sattey?—By themselves.

The witness being told to attend with the cheelams to-morrow, withdraws.

Govind Mulhar Josee being called into court, his examination, on oath, is taken down in Murratta (B).

Bulwant

* Having been furnished next day with a key to the terms used in this letter, Narraen Row was requested to reproduce it, but declared that he could not do so, having returned it to his brother. I am now informed by those who understand the meaning of the ambiguous terms used, that it contained matters of importance, and had especial reference to the negotiations carrying on in Bombay, to effect the abolition of the Guzerat Horse.

(C.) Bulwant Row Narrain being in attendance, his examination, on oath, is taken down in Maharatta (C).

Wamun Row Sattey is now informed that a yad will be addressed to his Highness requesting that he be placed in confinement on a charge of having conspired, with others, to corrupt servants of the British Government, for the purpose of obtaining secret information pending the instructions of Government.

11 October 1851.

The post-office clerk having brought his cheelams for the past month, that from Bombay of the 30th August (received on the 4th September) displays a letter to the address of Bulwant Row Narrain, and that of the 31st August (received on the 5th September), one to Govind Mulhar Joshee, which are the only ones to the address of those persons, prior to the letters which have been detained, that had been received during the past month.

(D.) Bhowreea Doongur, peon of the post-office, is examined, on oath, as to the delivery of these letters. His deposition is recorded (D.), being to the effect that he delivered both the letters to Bulwant Row, and received the postage from him.

No. 8. The post-office clerk having intimated that another letter had arrived for Bulwant Row, that person was summoned to receive it. The clerk having delivered it to Bulwant Row, he admits that it is directed to him, though he declares that he does not know the handwriting. Having given his receipt to the post-office for the letter, he is then desired to open it, having first been questioned as to whether it has any appearance of having been tampered with, and on stating that there is no such appearance, he is desired to open it. On doing so it is found to contain a closed packet for Wamun Row Sattey, the handwriting of which he says he cannot recognize.

No. 8, Encl. No. 1, 2, 3, 4 and 5. Wamun Row Sattey being summoned, and the inclosed letter delivered to him, admits that it is directed to himself, but refuses to open it; it is accordingly opened before him, and its contents, four loose papers, and one paper carefully inclosed in a blank cover being shown to him, he admits to be in his brother's handwriting. They are then read to him, and he is informed that they will be retained for transmission to Government.

12 October 1851.

Govind Row Roria being summoned, is questioned as to his proceedings in Bombay, alluded to by Dajee Dhondeo Sattey in the Enclosure 2 to No. 1. His deposition is taken in Mahratta, and recorded (E).

(signed) J. Outram, Resident.

(A.)

TRANSLATION of the Deposition of Warmunrow Satteh; Caste, Kokan, Brahmin; aged about 44 years; residing in Baroda; made before the Resident on the 10th October 1851.

Question. WHEN the inner cover of No. 2 to your address was shown to you on the 8th October 1851, you were asked in whose handwriting it was; you replied that it was not in that of your brother. The same cover is now shown to you; state in whose handwriting it is?—*Answer.* I have seen the inner cover, but it is not in the handwriting of my brother.

The outer cover was shown to you the other day; you then said that you did not know the handwriting. Now the same cover is shown to you; state in whose hand it is?—It is written by Carkoon Succram, belonging to the Shastree, in Bombay; but there is a slight difference in the formation of the letters. When this was first shown to me I said it was not in my brother's handwriting, but as I was not asked whose else it was, I did not say anything.

As the letters which were returned to you on the 9th are required back for inspection, you are desired to return them?—Those papers which related to matters of accounts and about the wurshashum of Vinkutrow Shastree were kept, but the other private letters were destroyed yesterday.

When the papers were given to you yesterday and receipts taken, had you permission to destroy them?—No permission was given to do so, but as I gave a receipt for them I entertained no doubt about it, so I destroyed them.

As the Resident had numbered these letters, you should have obtained his permission before destroying them. Why did you not obtain his permission?—As a receipt was taken from me before giving me the letters I entertained no doubt about it, so I destroyed them.

The letters which come for you are sent under cover to Bulwuntrow Narrayen and Govind Mulhar Josee, but the inside covers of the said letters bear your address. What is the reason of this?—As I intended to go to Poona, I wrote to my brother in future to send all letters of mine under cover to Govind Mulhar, he being a cousin-brother of mine. Bulwuntrow is like a brother to me—a trustworthy one.

Four

Four letters from your brother were received by post; of these, three of which (including the two first received) are addressed to other persons, and a subsequent one to your own address. If there was nothing deceitful in doing so, what is the reason that the letters should be sent in this way?—If there be any letters regarding domestic matters they are sent to the address of persons who can be depended upon; but on any other subject they are sent direct to the party. I do not acknowledge letter No. 2.

You have stated above that it was your intention to go to Poona, and that you had written to your brother to send all your letters, under cover, to Govindrow Mulhar. The writer of the letters to you is your brother Dajee alone in Bombay, who would have sent them to one person; why send them to two persons? What is the reason that they are sent under cover to both Govindrow Mulhar and Bulwuntrow Narrayen?—As I had written to my brother that I intended to leave Baroda, I desired him to send my letters to Govindrow Mulhar and Bulwuntrow Narrayen, and upon this he has done so.

You have stated, that as you intended to leave Baroda your brother may have sent the letters to the above-named two persons; but did you at any time previously secretly receive letters, the outer cover of which was addressed to another and the inner one to your own address, or were your letters addressed by your brother direct to you?—When I am about to leave Baroda, then my brother sends letters in this way; but while I am at Baroda, no letters are sent or received in this way. Those whose names are given, letters are sent to their address.

Did you authorize Govindrow Mulhar and Bulwuntrow to read the letters enclosed from your brother?—I told them to receive the letters which may come to their address, and intended to have reminded them of it before leaving this place.

If any letters are received to your address, do any other persons receive and pay postage on them, or do you pay postage for another's letters, and receive them?—If any letters are received to the address of my friends or relations, I receive and pay postage on them, and they do the same when letters are received for me.

When did you write to your brother to say that as you are about leaving Baroda your letters should be sent, under cover, to other persons?—In Shrawun Wud or Bhadurwa, A.D. August or September.

Was the letter sent direct to your brother, or was it sent enclosed in another letter?—I do not recollect.

How many letters did you write to your brother in Shrawun and Bhadurwa, A.D. August and September?—What letters I have written are entered in the post-office receipt book, and the post walla may have a memo. of them.

Do you receive letters from any other source?—Hoondies are received and sent through the bazar (native) post, but all letters are received and sent through the Company's post.

Within the last three months were any letters received or sent by any other channel except the post-office?—Hoondies and articles are both received and forwarded through other channels, but nothing else.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

B.

TRANSLATION of the Deposition on oath of Govindrow Mulhar Josee; Caste, Kokonee, Brahmin; now residing at Baroda, in the Della of the Bukshee; made before the Resident on the 10th October 1851.

Question. On the 8th October 1851, a letter to your address was received by post, which was shown to you, and you said you could not make out the writing on the outer cover. After it was opened a letter was found to the address of Wamonrow, and you replied that you recognized neither the copies of the covers or the address. What have you to say now?

—*Answer.* The writing of both the outer and inner covers I do not know, but the inner cover is addressed to Wamonrow; as I did not at that time see properly, I could not tell.

As you state you did not see that cover properly, it is now shown to you?—The cover No. 2 and 3, I have seen; that of No. 3 is in the handwriting of Dajeeba, but I cannot make out No. 2.

Are you related to Wamonrow?—He is my cousin-brother on the maternal side.

Used you always to receive such letters from Dajeeba Sattah in Bombay in your name?—Not up to this time.

Did the Company's post-wallah at any time deliver you any such letters?—No.

When Wamonrow proceeds to Bombay, or any other place, used his letters to come to your address?—No, they came to the address of his father.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

C.

TRANSLATION of the Deposition on oath of Bulwuntrow Narrayen Beharry, residing in Baroda, before the Resident, on the 10th October 1851.

Question. On the 8th of October 1851, a letter was received to your address by post, which was shown to you the same day. The cover of that letter, No. , is again shown you, and after looking at it, state in whose hand it is written?—*Answer.* I cannot make out the handwriting of the address on the outer cover.

The inner letter is here shown to you; state in whose handwriting it is?—It is in the handwriting of Dajeeba Sattey.

After looking at the outer cover No. 3, and also the enclosed letter, state in whose handwriting they are?—I cannot make out the handwriting of the address of the outer cover, but the cover of the enclosed letter is in that of Dajeeba. The handwriting of enclosure No. 7 I do not know; enclosure No. 2 is in the handwriting of Dajeeba.

The handwriting on the cover of letter No. 4 is shown to you; state whose it is?—I do not know, but the inside letter is in the handwriting of Dajeeba.

The letter No. , is shown to you; state in whose handwriting it is?—I do not know in whose hand the address on the outer or inner cover is.

Are you related to Wamonrow?—Wamonrow's father is employed under the Bukshee, and I have thus become acquainted with him.

Did any such letter come before to your address?—No.

When Wamonrow proceeds to Bombay, or any other place, used his letters to come to your address?—No.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

D.

TRANSLATION of the Deposition on oath of Bhow Dongur; Caste, Maratha; Inhabitant of Baroda; employed as a Peon in the Camp Post-office; before the Resident at Baroda, on the 11th October 1851.

Question. Do you take all the letters which are received to the address of parties living in Baroda for delivery to them?—*Answer.* Yes; I, and another peon, Gungajee, take them.

Do you give the letters to the parties addressed, or to any other person?—I give them to the parties addressed.

On the 4th September a letter was received to the address of Bulwuntrow Narrayen, and on the 5th one for Govindrow Mulhar; who delivered these letters to the parties?—I took these letters to Rouree Bukshee's warra, and delivered them to the said parties in the presence of the Bukshee, who was sitting there. There was one from Deesa, which was also delivered, and the postage of the above letters was paid by Bulwuntrow Narrayen.

Who paid the postage of the letter for Govindrow Mulhar?—Bulwuntrow Narrayen paid it.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

E.

TRANSLATION of the Deposition of Govindrow Pandoorung Nisbut, Guicowar, made before the Resident, on the 12th October 1851.

Question. Do you know Baba Mogeh, Anna Shastree, and Ondow Pooranaik?—*Answer.* I know Anna Shastree and Baba Mogeh.

Had you any conversation with these persons when in Bombay?—Anna Shastree came and said to me that there is something to be done about the Guzerat Irregular Horse, which would benefit the Guicowar. I replied, I have received no "Sirkaree" orders on the subject,

subject, and do not wish to interfere in it. He then replied, that if I wished, he should get Dawjeeba Sattey to satisfy me in this case. I again said that he and Dawjee may do as they like, but that I would have nothing to do with it.

(signed) Govindrow Roreea.

On oath before me, this 12th day of October 1851.

(signed) J. Outram, Resident.

(True translation.)

(signed) M. Batty, Assistant Resident.

No. 1, Enclosure 2.

TRANSLATION of a Letter, Enclosure 2 of No. 1, from *Dajee Dhondeo Sattey*, at Bombay to his brother *Wamonrow Sattey*, at Baroda, dated Bhadurwa Vud 14th (Wednesday), of Sumvut 1907 (A.D. 24th September 1851).

WHEN the Guicowar came to Bombay, at that time Anna Keeba, Bhoora Nawaluka, and Tatia Golah, goomashta of Jeewabhoy (who used to visit you) also came; and the latter is chief among them. These persons having got together, were joined by Bapoo Simpey, Ruttonjee Parsee, and Luxmon Foodbah Sennoy, and by means of a Christian, got a gentleman to do business for them, i. e., to relieve the Guicowar from the payment of three lacs of rupees on account of the Russalla. Oaths and assurances in the matter were given. Afterwards the above three returned with the Guicowar. From that day the business has been going on. In this case Baba Mogea and Anna Shastree, Owdeh Poovunee of Nana Shunker, were the persons on the part of the Baroda people to hurry on the business. And they are in constant correspondence with Tatia Golah on the subject. The above has been done through the advice of Moorubee* Sahib, so the above people state. In the meantime, on Row's Sahib's (Govindrow Rorea) arrival here the second time, he got acquainted with Anna Shastree. They became so intimate as to be seen going out together in a carriage daily. One day he (Anna Shastree) told Row Sahib that the above-stated business was ready to be accomplished; the latter asked for a copy of the proposed arrangement, which was given to him. Row Sahib then showed it to me, and asked me to make inquiries about it. On this I brought the copy to my house, and considered the matter; and it appeared to me that when Mr. Hutt, judge of the Sudder Foujdaree Adawlut used to go on his circuit to Guzerat, an order was issued by the Bombay government to ascertain how the police system was carried on there, to suggest measures for improving it, and what would be the cost. On this, that gentleman made a report, suggesting various measures, and stated that if his views were carried out, it would reduce the expense of the Russallah to a certain amount. This is the purport of it (Mr. Hutt's report), though there may be written something more or less in it. The subject was written on a half sheet of paper. On Row Sahib questioning me, I told him such was the purport of that paper. I asked him what all this was, and he told me as I have stated above; and added, that Tatia Golah was the principal in getting this up, for whom the Moorubee^a has a great regard; and it is true this business is carried on by this person. This, and other matters were stated. But it appears to me that this cannot be true; Tatia Golah is known to us. Afterwards Anna Shastree began to speak much to Row Sahib on this subject, when he told him, "You had better get Dajeeba^b to satisfy me on this point, when I will see into it." On this, Anna Shastree came to me, and held out hopes to me, but I told him that I had no wish to have any thing to do with the business; that if he had any thing true to say, I would hear him. He then told me all what I have written above. I heard all, and told him that I could not say anything to Row Sahib on the matter, but for him to do as he liked. He then went away. He thought that but for me Row Sahib would have given him money. I told Row Sahib not to mention my name without a cause; but Row Sahib is so simple a person, that I am not aware what he may have said to Anna Shastree. The "Mundlee" have since then spited me, and abuse me, I am told, but I am not afraid of them; they are low persons. The Phudkeys, "Mundlee," Bhaskerjee, Motabhoy, and others, are speaking ill of us. I am not acquainted with any of these parties. As the "Moorubee's" favour is on us, they are all for thwarting our wishes in whatever we wish to do. Misfortune has now befallen Row Sahib, and a proceeding regarding the Chittee is going on here; one or two of his carcoons have turned against us also; now all these people are become one. I then considered that we are not concerned in any bad ways, and it is true that the favour of the Moorubhee is on us, but we are aware that we have not been greatly benefited by him. But all the people are at enmity with us; from this it is clear that this is our luck; notwithstanding there are lots of bad characters, through God's blessing we hope the dowlut (or authority) of the Moorubhee may remain permanent; and if his favour continues on us

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* This is the designation applied to Bhow Tambeykur, the minister.

as heretofore we need fear nothing; but, on the contrary, we have courage, and I am on the alert in every matter, so do not fear anything. But when I hear anything, I feel hurt at the time; but this is natural with man; so fear not. I did not think it necessary all this time to write on the above subject; but hearing all the ill reports going about, I have thought it proper to write to you, and for you to inform "Moorubhee" of it.

(True translation.)

(signed) M. Battye, Assistant Resident.

No. 1, Enclosure 3.

TRANSLATION of a Letter, Enclosure 3 of No. 1, from *Dajee Dhondeo Sattey*, at Bombay, to his brother, *Wamun Row Sattey*, at Baroda, dated Bhadurwa Vud 14th (Wednesday), of Sumvut 1907 (A.D. 24 September 1851).

IN the case of Krishnarow Withul, it appears that a further reply will be required from the Durbar. But what has already been written in the matter I do not know. But I think the following answer should be made: "That formerly Withul Row Dewajee was a person of such and such respectability; that as he performed good service to the state, he was accordingly rewarded, and also to mention the increase of nemnook granted to him. That during the period of the septennial lease given to him, he occasioned great loss to the state, both in character and money, but gained his own ends thereby. That he openly sided with the British Government, without consulting the Guicowar Government, and got his nemnook increased. That the Guicowar raised this man from a low to a high rank, yet he has acted contrary to the Guicowar's wishes, for which the Durbar showed some displeasure towards him, but he never gave it a thought how he was raised to such a high position, but rather stood in opposition to the Guicowar Government, and managed the 'Kubjee Mhals.' That the Guicowar government never asked the British Government to guarantee his nemnook. What hopes had the remuldar of the British Government held out to the deceased, as to induce the British Government to sanction a nemnook to his adopted son? The British Government alone knows it. That from the beginning the deceased was a Guicowar servant and subject. To sanction the adoption rests with the Guicowar government. That the friendship of the two governments is of long standing, therefore the British Government should not have kept under its protection an offender of the Durbar. That with a view of increasing their friendship, this government never wrote any thing ill about him, nor made any tukrar. Though there is no bhandarry given to Withul Row, neither was his adoption made by the consent of this government; it is very surprising, therefore, that inquiries should be instituted on the strength of the petition made by him. Nevertheless, replies are made by this government in the case. That though Withul Row was a servant of this government, Krishnarow has preferred trifling claims on this government, on which account the British Government, taking him under their protection, demand an explanation. But when Withul Row was in the service of this government, he caused many losses to it, which he turned to his own benefit; but lacs of rupees are due by him to certain sowcars of this Raj; and the British Government should cause the same to be paid to them after due inquiry." To this effect, if one or two yads are replied to, I think some good will turn up; but of course proper replies must be given in this case to any questions that may be put by the British Government; besides which, if such a reply as above stated is given it will be good. The Moorubhee^a took Row^b Sahib in his carriage to the Maharaj, and the latter went to Row Sahib's house; this is good; but among the people it is rumoured that this was done through the Resident's "Ashra" (support). Why was this not thought of before? At first one course was taken, and at the end another was adopted; this has become publicly known among the people; what the real truth is I do not know. But in the eyes of the world such appears to them.

^a The minister, Bhow Tambakur.

^b Govind Row Rorey.

(True translation.)

(signed) M. Battye, Assistant Resident.

No. 1, Enclosure 4.

TRANSLATION of the Enclosure 4, of No. 1, from *Dajee Dhondeo Sattey*, at Bombay, to his brother, *Wamun Row*, at Baroda, dated Bhaderput 13th (Tuesday), of St. 1907 (A. D. 23d September 1851).

REGARDING Venaik Punt Anna, I shall write to Tatia and Bhow,* and obtain their replies; but Govind Shastree Bawah is much pleased at this business, and told me so once or twice; this conversation took place with the view of increasing the friendship of Govind Shastree, and as opportunity offers I shall not fail to speak to him in a way which he will

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* The designation applied to Maro Punt Tatia and Bhukoba Bhow, of Poona.

at once understand. Something has occurred which will, I think, bring him to me; but when it takes place, it is my intention to write to you all about it; but as you have written now, I must reply to you. Whatever the people may attribute as to the cause which led to the reconciliation of the Row and Moorubbee,* it is very good that this has been done. This was reported here for the last two days. Suddashew Shastree Bawah will speak with great humility to Probhakur Punt, but after five or seven days I will write to you on the subject. On Vud 5th, Monday (15th September), I despatched a letter by the Bazar post, and there are yet four or five days before I can obtain a receipt for the same. I am looking out for it. On Vud 10th Saturday (20th September), I sent a letter to Bulwantrow, and to-day another through the Bazar post, and I am on the look out for their receipt, which I shall receive in due time. By the fall of rain now, the wind has changed entirely, therefore, there is some fear; but it is in the hand of the Great to remove the said fear.† I have from the first made inquiries regarding Atmaram and others, but I have not yet succeeded in getting anything to write to you. A person has spread a report that some inquiries are being made about the Chit at Baroda; that the Resident has reported to Government on the subject, which was received here four or five days ago; Mr. Grant has been written to on the subject, and his reply has been received; but what questions were put or replies made by him, it is not yet known. This is kept very secret; whether this is true or false God knows. The person who visits Mr. Grant says this. If I hear anything more on the subject, I will write to you.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

No. 2.

TRANSLATE of Enclosures‡ to No. 2, regarding the Advances made and Expense incurred in the Village of Kurcheea, No. 5.

Para. 12. The village was made over to the Sirkar, because there was no agreement regarding the adoption. I am of opinion that, in a case of this sort, the claim advanced by the unacknowledged heirs should not be admitted; it would never be agreed to by us, therefore it does not to me seem expedient to urge the matter on his Highness the Guicowar. Should there be any advances which it is deemed proper to recover, there is no objection to settle this in favour of the adopted, and proper assistance should be given to collect the same; but with this exception, I see no reason for admitting this claim.

Touching the Sums paid to Soucars of the Pagah, No. 6.

Para. 13. I concur with the arrangements proposed by the Right honourable the Governor on this subject.

Regarding the right over certain Temples, No. 7.

Para. 14. Crishnarow should be written to, to specify the amount of claim, and if the Shastree of the Sudder Adawlut decides it in his favour, according to the Hindoo custom, the Guicowar should be requested to state the grounds on which his objections to the claim are founded.

Regarding Nemnook, No. 8.

Kurcheea Village Claim, No. 9.

Para. 15. These two claims having been so clearly detailed in the minute of the Right honourable President, there is no need of further information on the subject.

Dated 21 May.

(signed) *Blane*, Saheb.

MINUTE.—No. 6973.

I CONCUR generally with the opinion expressed in my colleague's minute; but pending the receipt of the further information called for, I abstain from giving my opinion; when it comes, a portion of the report can be disposed of, but in its present incomplete state, it is impossible to give a satisfactory opinion.

23 May 1851.

(signed) *Bell*, Saheb.

* Meaning Govindrow Rorey and Bhow Tambeykur.

† Supposed to refer to the treasonable note attributed to the minister, respecting which there has been correspondence with Government, and which is the cause of much anxiety.

‡ *N. B.*—This appears to be a continuation of translations of the Minutes of Government in the Kristna Row Withul case, the previous 11 paras. of which had been forwarded in a former letter.

Para. 1. I regret that these papers should have been so long delayed since the penning of my colleague Mr. Blane's minute on Colonel Outram's report; they were at first laid aside in consequence of more important matters engaging my attention, and even after the disposal of which, other matters, and the press of daily business, prevented my taking up the case.

2. Mr. Blane is fully conversant with this case, more particularly with regard to the subject of the Kattewar villages; his opinion, therefore, must be considered of great weight. I concur with him in opinion as to the manner of disposing of this case, though my wish was that the Resident should be written to for further information, as we concur in opinion as to the disposal of the matter, and the Resident's time being at present occupied with other business, I think it would be better not to trouble him at present.

3. The 5th para. of my minute, and the 7th para. of that of Mr. Blane's, regarding the Guicowar's claim to villages, must form a separate subject for consideration.

4. Regarding the claim for produce of the "torlely" lands, No. 2, Mr. Blane gave his opinion, on which subject the arrangements proposed in the 6th para. of my minute should, in my opinion, be carried out; and the memo. contained in the 9th para. of Mr. Blane's minute should be embodied in the letter to the Resident.

5. The 9th to 23d paras. of my minute have reference to the private property which had been detained by the Guicowar Kamdars, in item No. 3; the 10th para. of Mr. Blane's minute contains that gentleman's opinion (to the same effect as my own).

6. Paras. 24 to 30 of my minute refer to the advances made to ryots, and the arrears of revenue claim, No. 4, with which Mr. Blane's opinion, contained in the 11th para., agrees; arrangements will be accordingly carried out.

7. I cannot concur in the opinion of my colleague Mr. Blane, regarding the claim to Kurcheea village, No. 5; therefore Mr. Bell's opinion on the subject should be requested.

8. Touching claim No. 6, the opinion contained in paras. 35 to 38 of my minute, is agreed to by Mr. Blane; therefore the proposition should be carried into effect.

9. The Resident at Baroda should be written to for further information regarding the claim No. 7 to certain temples, as stated in the 40th para. of my minute, and the 14th of that of Mr. Blane's.

10. Regarding the two other claims, Mr. Blane and myself concur in opinion; therefore no further information is necessary.

6 August.

(signed) Falkland, Governor Sahib.
Blane, Sahib.

MINUTE.—No. 6775.

I CONCUR in opinion with the Right honourable the President, as expressed in his minute of the 21st April last, para. 33, relative to Christna Row Withul's claim, on account of losses sustained in the village of Kurcheea.

A case such as is referred to in the 12th para. of Mr. Blane's minute of the 21st ultimo, may never before have come under my observation. From what is above stated, it would appear that the village in question should not be taken possession of; but if we come to this decision, it will be incumbent on us to admit any just claims for losses sustained.

12 August 1851.

(signed) Bell, Sahib.

(True translations.)

(signed) M. Battye,
Assistant Resident.

MEMORANDUM.

These were enclosed in a cover addressed to Govind Row Mullar Josee, the inner cover being addressed to Wamun Row Dhondeo Sattey, and were received at the Baroda post-office on the 28th September 1851.

(signed) J. Outram, Resident.

No. 3, Enclosure 1.

TRANSLATION of Enclosure 1 of No. 3, dated Ashwinaood 1st, Friday (26 September 1851), from *Dajee Dhondeo* to *Wamun Row Sattey*.

AGREEABLY to what you wrote regarding Venaik Punt Anna, I wrote to Tatia* and Bhow,† and received their reply, saying it is not the rule amongst his caste (meaning a certain gentleman). They had simply mentioned (to the gentleman), that such a person had

* Meaning Moroopunt Tatia, principal Sudder Ameen of Poona.

† Meaning Bheekoba Bhow, carcoon, of Poona.

had just gone to obtain a livelihood, who said he was a good and clever person, but that he was tired of doing his best for that person (Venaik Punt); but he did not appear to be displeased with him or to speak ill of him (Venaik Punt), and it appears from this that the person* who spoke against him (Venaik Punt) had only that object in view, and nothing more; such is the purport of their reply. Whenever any conversation takes place about him (Venaik Punt), Govind Shastree always praises him, and hopes always to hear of his welfare. Moorabbee Sahib is a clever person; but man is not made of earth. It takes a long time to perfect him and raise to a high place, so was that person (Venaik Punt); but to get money or obtain employment depends upon luck. The character of the person† who spoke ill of that person (Venaik Punt) is known in all parts of the world. The fact is, that what comes in his mind he does, but no reliance can be placed on what he says; such appears from what is said of that person (Venaik Punt). Tell Moorubbee Sahib,‡ with great submission, that there is nothing bad in that man (Venaik Punt); I am one who always wishes him (Bhow Tambeykur) well. If I hear any one speak ill of him, I will immediately inform him of it. It is not an easy matter to obtain a good and confidential person, and such person comes of great use in a case of trial or emergency. Though we may be kind to an earthen^b ball, yet it is nothing but earth, and if now bring before him he can judge of its use.

^a Meaning Bhow Tambeykur.

^b Meaning Govind Row Raria.

(True translation.)

(signed) M. Battye, Assistant Resident.

Note.—No. 7 Enclosure, having reference to the Shastree's private affairs, is not translated, and is merely sent in consequence of the writing resembling that on the covers of No. 1, 2, and 4.

(signed) M. Battye, Assistant Resident.

No. 3, Enclosure 2.

TRANSLATION of Enclosure No. 2 to Letter No. 3, from *Dajee Dhondeo Satteh* to his brother *Wamun Row Satteh*, dated Ashwin Sood 1st, Friday (26 September 1851).

1. YOUR letter, dated Bhadurwa Vud 10th, Saturday, No. 9 (20 September), I received yesterday. In Bhadurwa (August and September) I sent letters up to No. 13; of these the receipt of mine has been received, and the receipt for the rest I am looking out for.

2. I received two receipts of the "Poostucks"‡ sent by the Bazar post, on Vud 13th, Tuesday (23 September). I sent the third "Poostuck" by the Bazar post. On Vud 14th, Wednesday (24 September) I sent another§ through Govind Abba, the receipt of which I expect. The reason of my writing some portion in ambiguous terms was, that it may be of use to our friend,^c whose son is an intelligent person; the other portion is plain.

^c Meaning Nursoo Punt.

3. Nothing remains of "Pundree nath Kulla,"|| but the Soolee^d people's claim has been acknowledged.

^d Kattewar people.

4. I am anxious to see the much Ka Kullun,^e and have done my best to get it, but there is great difficulty now in obtaining it. I may obtain it shortly.

^e Meaning Mr. Grant's report.

5. You wrote respecting the increase in weight,¶ and for me to bear in mind what letter is got. I shall do so in future.

Para. 6. is all about purchasing and sending down globe lamps.

Para. 7. For the purchase of boxes of crackers.

„ 8. Ditto - - ditto - - couches.

„ 9. Ditto - - ditto - - mirrors.

„ 10. Forwarded the letter from Poona to your address. Bappoo wrote that the person would leave after Assoosood 12th (6 October). Our master this day observed in the papers the death of Lord Clare; he is left now without a supporter anywhere, and has become subdued like.

Para. 11 is all about the house expense.

(True translation.)

(signed) M. Battye, Assistant Resident.

* Supposed to be Anna Keeba, the confidential man of Bhow Tambeykur.

† Supposed to be Anna Keeba, who wrote to Bhow Tambeykur against Venaik Punt.

‡ Supposed to mean secret information.

§ Supposed to have contained a portion of the Minutes in the Kristna Row case, Enclosure 4 to No. 8.

¶ Meaning that all the information about Kristna Row has been sent.

¶¶ Meaning that he should not appropriate large sums, for fear of being detected; but to be content with little.

No. 4, Enclosure 6.

TRANSLATION of Enclosure 6 of No. 4, from *Dajee Dhondeo* to his brother *Wamun Row*,
dated Ashwin Sood 5th, Monday (27 September).

^a Meaning Mr. Grant's report.

^b Meaning the Phudkey.

^c Godown.

No one can see yet the "Mucha's Lecknee."^a It is forwarded to Murratta;* there is some delay yet in getting this information; it is suspected that the Chindee^b has done this business. Amerchund says that his son and carkoon are sorrowful. The Bhowsabib's shop is here, but his "Vukhar"^c is stopped, and Adakwen has commenced the business of a broker. Krishnarow is under displeasure, and Baba Phudkey's carcoon, Bulwant Row Purbhoo, is at present chief manager of the shop, but a stop has been put, in a great measure, to trade. Krishnarow sent word by Amerchund that he is very anxious to see me, but he is helpless, and to keep favour on him; this must be the reason of Amerchund's giving the gup; he was told that from the beginning he was a man of business, and if at the present time he would do work, he will not be forgotten; but Amerchund has not yet sent his reply. The expense of the Row, including house-rent, was 200 rupees a month; but the Sowkar's mookhee has written here to say not to pay anything, therefore the carkoon is uneasy. There are five horses and 10 men here; the carkoon's pay is 15 rupees per month; he is the son of Bhow Sattey, and drives about now in a carriage and pair.

(True Translation.)

(signed) *M. Battye*, Assistant Resident.

No. 4, Enclosure 7.

TRANSLATION of Enclosure 7 of No. 4, from *Dajee Dhondeo* to his brother *Wamun Dhondeo*,
dated Ashwin Sood 6th, Tuesday (30 September).

^d The minister,
Bhow Tambekur.

^e Bhow Tambeykur's.

^f Meaning the Guicowar.

^g Govind Row.

REGARDING what I wrote to you about Gunesh Punt I have briefly written to our father also, whose reply I received, stating that formerly, after informing the Moorubhee,^d he met Gunesh Punt; yet the nemnook was instantly stopped, and therefore desiring me not to write to Baroda, or interfere in the matter, as it is not known what the Moorubhee may think of it. This he wrote in a state of great anxiety. I sent my answer agreeably to what you had written, &c. But I beg to say that whatever I hear here, I inform you of it, and you should observe his^e disposition before you inform him any of it. We take trouble with the hope that something good may accrue; this depends on our luck, but we must take care that no evil shall result from it. How are you getting on now? As regards your visit to the Malek,^f what does the Moorubhee think of it? Do many people visit Row^g as before? Do you go there or not? You must write and inform me all about these matters every month or 15 days, please, when I shall be able to judge how matters are going on there; and I shall be at ease also. Bulwantrow's relation has given a letter for Bulwanirrow, which I enclosed, do not forget to give him.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

No. 8, Enclosure 3.

TRANSLATION of Enclosure 3 of No. 8, from *Dajee Dhondeo* to his Brother *Wamun Row*,
dated Ashwin Sood 13th, Tuesday (7 October).

^h Meaning Bhow Tambeykur.

ⁱ Meaning by the Chief Secretary.

^k Baroda state.

SINCE the receipt of the Resident's report regarding the Moorubhee's^h chittee, the business is going on secretly, so that no one can get the slightest information; all the business is done personally.ⁱ On questioning Mr. Grant on the subject, he replied that he showed the chit here to the Vakeel, and afterwards sent it to Baroda, but he cannot tell from whom he got the same. If this be true, the Government will not remain without taking a "Juwab" from him. All this will fall on his head; some persons say that he replied that he showed the chit, and afterwards sent it; but does not know who gave it him. That one day, whilst looking for some paper on the table, he found this chit; this answer is to get himself out of the scrape, but there is room for the Sirkar to suspect him of doing all this, since he has nothing to do with this Suwasthan,^k and is always interfering in the business of that

* Meaning the Mahratta capital, Poona, where the Government was.

that state. This is known to all, that from what is written above he will get out of the scrape will not be the case; Phudkey's son and carcoon are very sorrowful, as I hear depositions have been taken by the Resident at Baroda; but whether Phudkey's deposition has been taken or not, or that the Durbar has been informed of it or not, I do not know; some one said that formerly, in the time of Anund Row Mahraj, it was a rule that if a karbarry was required at the Durbar, it was necessary to obtain the consent of the British Government to the appointment; the records have been searched to see whether there is any writing or document on the subject, but nothing found. But to Syajee Row Mahraj, however, full authority was given to appoint any one as karbarry he liked, and it would appear that something derogatory about the karbarry must have been written, which has led to the searching for proofs here in the matter, and there is no doubt that a hint has been received from that quarter* to search the records on the subject. Many people here daily tell different stories on different matters. No one knows the truth; no one knows whether any reply has been sent, or what has been done in the case. The Row's† carcoon here frequents the Sonars "Mundlee,"‡ but there is nothing to benefit from it. God knows what there is in it. I informed the "Syee"§ all the above matter, who, conversing, said no such proof can be got, and whatever may have been written from there,|| no notice will be taken. That if my "Moorubhee" is a wise person, he should tell the Mahraj that so long as he is living he should fear nothing, that no one but himself would be consulted. In the present case, that Appa Sahib Mahraj should be taken to the Resident and instructed to say that "My brother, who is on the 'Gaddee' is to me like a father; I never entertained any such hope as is attributed to me in the chittee in question, that the karbarry never gave me such advice; some vagabond has done this trick; a quick inquiry should be made on the subject, &c.," and with the excuse of going out for an airing, to take him there, and get him to say all the above, which, if acted on, will be good. This and other things were said by him, but there is no weight in what he speaks; of the 10 different stories that I write, this is one of the "Syee's" stories. The Governor left Poona on the 4th for Mahableshwur, and is expected here in next month.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

No. 8.—Enclosure 4.

TRANSLATION of Enclosure 4 of No. 8, from Dajee Dhondeo to his brother Wamun Row Dhondeo, dated Ashwin Sood 13th (Tuesday, 7 October).

I RECEIVED your letter dated Ashwin Sood 3d (28th September), last Thursday, and that by the Bazar post on Friday, five or six days; received another letter from you; but no letter has been received of later date; for this I am very uneasy; I do not expect any to-day, as the sepoy told me that the Surat Dawk has been detained, but when it comes to-morrow all fears will be removed. This letter of Sood 3d (2d September) acknowledges the receipt of my letter, up to No. 11; and the day I received the letters of Sood 3d, the same day I wrote letter No. 12, which is now eight days, and not having received any reply, I feel uneasy. In last month I sent letter No. 12, on Saturday, Bhadurpud Vud 10th (20th September), and in cover to Bulwunt Row, and again on Vud 13th, Tuesday (23d September), by the Bazar post.¶ On Vud 14th (24th September) I again sent one, No. 13, under cover to Bulwunt Row, and a "jeenees,"** under cover to Govind Row Abba. In this month I sent one on the 1st Friday (26th September), No. 1, under cover to Govind Row Abba; No. 2 on Sood 3d (28th September), to your address. A delay has occurred in receiving acknowledgment of all these letters. Your letter, which I shall receive, should contain acknowledgments up to No. 1. What has caused the delay I cannot think; but there is at present some stir at your place. The people here tell different stories every day, for which I feel much distressed, and therefore ought to receive letters daily, or even every other day. As regards the payment of postage, the Almighty will cause it to be paid some time; but do not put off writing, because there is trouble in doing so. There is no stir whatever here. I write as usual every fourth or fifth day; still you ought to send a reply the very day you receive my letter, so that I may receive your answer in twelve days, which will remove all anxiety. I received a letter from Poona, dated Ashwin Sood

* Meaning the Resident at Baroda.

† Meaning Sunker Sett and others.

‡ Meaning Captain French.

† Govind Row Rorea.

|| Meaning the Resident.

¶ This must have contained the first half of the Government Minutes; the remainder of which came under cover to Govind Row Mulhar, at the same time as No. 13 (which is numbered 1 of the interrupted packets), being the Queries next alluded to (No. 2 of packets), Govind Row Abba and Govind Row Mulhar being the same person.

** Secret information.

Sood 10th, Saturday, 4th October, in which Bappoo writes that he delivered the letters received from Baroda to our master; that the story of both differ with each other, but it appears to him that he has little hopes. The fact is, that it was good for me that I had not gone at this time; except this, I had not done well. This he will tell me when he meets me; he wrote in such a way as to show that he was much distressed in mind. To this I sent an answer, but Bappoo thinks I did not do well by remaining in Bombay, and he thinks that I am happy because I am independent, which he is not, and he wants me at Poona to throw me into difficulty; such is his intention. It will never do to go for a few days, and then return, because there is not much business of our master in Bombay; and, considering that I would be thrown into difficulties, I did not go there in Bhadrupud month, but managed by some means or other to remain back; for this he thinks I did not act well. Such appears to me. He is very envious, and therefore I write this to inform you, but Providence will direct all. I wrote to Bheekaba Bhow something in private, but he, Bappoo, does not know what it is. All that he knows is, that a correspondence passes between us; on account of this he is annoyed; this deposition of his surprises me. Up to this time he was independent, but I never thought anything of it. But I do not like his disposition regarding the business of your master; you always write to me, and this is spoken of by every one in Poona, but that he will ever leave Poona and come to Baroda of his own accord to effect a settlement, this I feel confident will never be. His disposition is such that he will not act according to the signs of the times. Every time he says, "What need have I to be servile to the Durbar, and what do I care for any great or clever person? I am quite independent;" and this is the chief reason why he does not act so, since he would have to be servile to the Durbar, and to do this he must keep on terms with the persons of the Durbar, and he must give up his independency for this. But, this talk is to him like death, but he has no sense. He does not consider the great benefit which would be conferred on him and his generation if he only acted up to the advice above given. This was my opinion from the first, but I trust the Almighty will will it otherwise. I fear it will not be so; should he not come to any understanding, will not a separate arrangement be made for Tatea Sahib? * I had once or twice before written on the subject. Bhow Sahib's† assistance would be of no use unless aided by Abba Sahib;‡ without the consent of these two persons, the wishes of the Durbar cannot be carried out. And it is doubtful whether the Durbar, for this reason, will be favourable to Tatea Sahib's cause or not. It is difficult to manage, and I have doubt about it, but I shall know all on hearing from you the particulars. I am constantly annoying Josee Bawah, but he is helpless. He says that if he can see one word in the document he would tell me; that he is doing his best to get hold of that document, but is as yet unsuccessful; what can he do, he is helpless? Sahstree Bawah told Prubhakur Punt of it privately, which I was pleased to hear. But Prubhakur Punt is in deep consideration as to what will be the result. And if matters turn out at the end as it is wished, all will certainly join in it. If Josee Bawah could only give me a hint from the document, it would enable me to speak in a more agreeable way to Prubhakur Punt, who would give his consent to it. The thing which is looked for Jossee Bawah cannot obtain, for which there is fear, and therefore it is postponed for another four days, before speaking to Punt on the subject. I have not received any letter from my father, but as my mind is bent towards yours, please to write soon; no rain here, and therefore the heat is great. It is many days since any letters were received, and as the wind is from the north, it has not been blowing well; I feel very uneasy on that account. The fact is that you should remove all this fear soon: this is my request.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

Enclosure No. 2 of No. 8 refers merely to the despatch of the articles for Moonubhee Sahib.

(signed) *J. Outram*, Resident.

No. 8.—Enclosure 5.

TRANSLATE of Enclosure 5 of No. 8, dated Ashwin Sood 13th, Tuesday (7th October).

A PERSON told me here that our master made a petition to Government about the pension, but no one from Poonah has given me any information on the subject. I heard report that a letter is to be written to the collector of Poonah by Government, after referring to the last order on the subject. This may be true, but it is surprising so far, that no one from Poonah will give us this much information. Regarding one "Suee" or friend,§ I informed the circumstance to "Syee,"|| who appeared to be much pleased, and told me to give his bhout-bhout salam to our friend. He further asked what had become of the case of Phudkey,

* Bheemashunker's son.

† Meaning Nursoo Punt.

‡ Balcrishna Shastree.

§ Venaik Shastree.

|| Meaning Captain French.

Phudkey, which was going on in the Rewa Kanta; I replied that the former * having died, the case was dropped; but he said, this cannot be. How will those people † remain without raising a clamour?

(True translation.)

(signed) *M. Battye*, Assistant Resident.

No. 8.—Enclosure 1.

TRANSLATION of Enclosure 1 of No. 8.

No. 176 of 1851.

LETTER from the Resident at Baroda to Mr. Malet, Chief Secretary to Government, dated 27th September 1851, regarding the Kooman rebellion, at which time the management of the Umreilly Mhal was vested in Wittul Row Dewajee. In this case Major Lang furnished copies of letters, under date 9th August, to the Resident, who reported on the subject in reply to the Government letter, No. 4,101, dated 19th September 1851, forwarding at the same time translation of the yad from the Durbar, showing the years, from 1812 to 1832, in which the Wywut was made Kucha as well as under lease, and which includes the period of the Kooman rebellion. That in 1832 the Umreilly Mhal was made over to the Guicowar.

In the year 1821 the rebellion took place, but from 1817 to 1825 the Mhal was farmed, as proved by the documents in question.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

— No. 9. —

MEMORANDUM by the Chief Secretary.

THE original of the Right honourable the Governor's first minute, dated the 21st April last, in the claim of Krishu Row Wittul to certain private property and inam lands alleged to have belonged to his late adoptive father, Wittul Row Dewajee, and to have been confiscated by his Highness the Guicowar, consists of 30 sides of foolscap paper, which were copied by the undermentioned persons.

The 1st and 2d, and 19th to 30th sides by Mr. Myers, clerk to the Right honourable the Governor.

The 3d and 4th sides by Mr. Proctor, a clerk in the general department of the Secretariat, who was at the time attached to the establishment, with the chief secretary in attendance on the Right honourable the Governor, then at Mahabuleshwur.

The 5th to 18th by Mr. Marston, a clerk in the Political department, ditto, ditto.

The honourable Mr. Willoughby's minute, dated the 28th April, the honourable Mr. Blane's, dated the 21st May, and the honourable Mr. Bell's, dated the 23d May and 12th last, are each recorded in the handwriting of those gentlemen.

The Right honourable the Governor's final minute, dated the 6th August last, concurred in by the Board, was copied from the foul draft by Mr. Robinson, a confidential clerk in the Political department of the Secretariat.

The Government letter to the Resident at Baroda was drafted by Mr. Smith, second assistant in the Political department, the copy from his foul draft being made by a purvoo named Rugonath Gunnesh Senoy; the fair order despatched to the Resident at Baroda, was copied by a European named Wynne.

Two copies of the minutes above alluded to were made for the Honourable the Court of Directors on the 25th August last, and were despatched to that authority with the other proceedings in the case by the overland mail of the 1st ultimo; these minutes were copied by three Portuguese clerks, named Rozario,

* Meaning Major Brown.

† Meaning the parties who got up the charge against the Phudkey,

Rozario, Xavier, and Fernandes. The latter individual also made two copies of the Government letter to the address of the Resident at Baroda, alluded to in the preceding para.

The whole of the foregoing papers were copied with the political diary, prepared for transmission to the Honourable the Court of Directors, by a Parsee named Dinshaw Dorabjee, and three Portuguese clerks, named Rodrigues, Xavier, and Pereira. The examination of the diary was made by three Europeans, named Mavor, Freeman, and Wynne.

(signed) *A. Malet*, Chief Secretary.

21 October 1851.

—No. 10.—

MINUTE by the Right Honourable the Governor.

THE first paragraph of Lieutenant-colonel Outram's letter of the 13th October 1851 is as follows :—

“Government has been repeatedly informed by my predecessors and myself, that its most secret councils are systematically betrayed and communicated to the Durbar, no despatch in the Secret department even ever reaching the Resident's office, the purport of which had not previously been conveyed to the minister.”

2. I should wish Lieutenant-colonel Outram to be requested to refer more particularly, but as succinctly and shortly as possible, to repeated instances of these allegations to which he alludes in this paragraph having been made.

3. I would likewise tell Lieutenant-colonel Outram that we are not aware of “the great injury to its interests that Government have sustained for many years past in connexion with the Baroda state, by the systematic betrayal to this Durbar (meaning the Baroda Durbar) of its most secret deliberations,” as stated in the latter part of his sixth paragraph of the same communication.

4. Colonel Outram's 14th paragraph runs thus :—

“The disclosures in these documents will surprise, not less than distress, his Lordship in Council; for therein will be found, not merely the purport and even transcript of Government despatches, but detailed accounts of the deliberations of Government, and even transcripts of the minutes of each member of Government.”

I have felt all the annoyance and mortification Lieutenant-colonel Outram supposes I naturally should experience from the facts he has brought to light, and I doubt not my sentiments will be fully shared by my colleagues, because I am convinced that a result so reverse of creditable to the mode in which one of the most important branches of the public business is conducted, could only have been obtained as Lieutenant-colonel Outram affirms in paragraph 16, by corrupting confidential servants of the Secretariat.

5. Entertaining this conviction, I conceive that the most prompt and efficient means should without delay be taken by the chief secretary, to discover those who have so criminally betrayed the trust reposed in them. I am of opinion also, that the chief secretary should be directed to inform the heads of his department on whom he would seem to place special reliance, that while the perpetrators of such acts remain undiscovered, Government can repose no confidence in the zeal and fidelity with which they discharge the important duties confided to them.

6. I await with anxiety an intimation from the Chief Secretary, that the persons who have so abused his confidence have been detected.

7. Lieutenant-colonel Outram has already been informed of the unsatisfactory result of the examination of Dadjee Dondoo Satay, undertaken by Mr. Malet, at the Lieutenant-colonel's suggestion.

8. The conclusion of para. 8 of Lieutenant-colonel Outram's letter I will notice hereafter in a separate minute.

9. Lieutenant-

9. Lieutenant-colonel Outram should be requested to explain with reference to his 19th paragraph, and the Enclosures No. 3 and 5 of Appendix No. 8, what are the grounds on which he concludes the word "Syee" is intended to designate Captain French.

10. In the correctness of the inference drawn by Colonel Outram in the last paragraph of his letter now under consideration, I am, as I have already intimated in paras. 4 and 5 of this minute, constrained most reluctantly to concur.

11. The name of Mr. Gregor Grant appears so frequently in the accompaniments to Lieutenant-colonel Outram's letter, that I am reminded to ask of the chief secretary whether any reply has yet been rendered by that gentleman to our call for information in regard to the person who delivered to him the note purporting to have been written by the minister of his Highness the Guicowar.

Should no answer have been received, an immediate explanation should be forthwith insisted on.

12. Reference is made (in Enclosure No. 3 to accompaniment No. 8) to a search having been instituted into the public records for the purpose of ascertaining whether it be necessary on the part of the Durbar to obtain the consent of the British Government to the appointment of a karbaree. I shall be obliged by the chief secretary informing me if this be the case, as I am not aware of the subject having come before the Council Board.

24 October 1851.

(signed) *Falkland.*

—No. 11.—

MEMORANDUM.

WITH reference to the last para. of the Right honourable the Governor's minute, dated 24th instant, the chief secretary has the honour to state, that no search of the nature indicated in No. 8, Enclosure 3, has been made in the records of the Secretariat, and that he believes the last discussion on the subject of a minister at Baroda took place in Sir James Carnac's government.

(signed) *A. Malet, Chief Secretary.*

29 October 1851.

—No. 12.—

EXTRACT Para. 26, from a Minute by Sir *J. R. Carnac*, Governor of Bombay, dated the 13th of February 1841, detailing his Proceedings at Baroda during that and the preceding month.

Para. 26. I FOUND his Highness extremely averse to the appointment of a minister. He alleged that while he continued to transact business in person with the Resident, no such appointment was at all necessary, and most earnestly begged to be excused from this stipulation; and that I would give him a written abandonment of our right to insist upon it for ever, or at least during his life-time. On this point I could not consent to his request; but observing the intimacy and cordiality which existed between him and Mr. Boyd, I felt no disposition to insist on an immediate nomination. I therefore informed the Gaekwar that so long as he continued on good terms with the Resident, listened to his advice, and avoided all breach of his engagements, I would refrain from insisting on the appointment of a minister, but that I could not abandon our right to enforce this appointment should he adopt a different course from that which he had now pledged himself to pursue.

(True extract.)

(signed) *A. Malet, Chief Secretary.*

— No. 13. —

EXTRACT Paras. 42 and 43 from a Minute by Sir *J. R. Carnac*, Governor of Bombay, dated the 13th February 1841, detailing his Proceedings at Baroda during that and the preceding Month.

42. THERE is but one other subject to which I think it necessary particularly to advert; that is, the obligation on the Gaekwar to appoint a responsible minister, with the approval of the British Government; Syajee Rao's objection to this no doubt arises from the impression that a minister so appointed would claim a Nemnook, and that we might interfere to perpetuate his enjoyment of it, as has been done on former occasions. I do not think that even if a minister were appointed we should be justified in so interfering, and yet a minister without a fitting remuneration, and holding his office at the sole pleasure of the Gaekwar, would be of little service, and could bear no weight of responsibility.

43. Influenced by this consideration, and observing the friendly intercourse which existed between Syajee and the Resident, I deemed it inexpedient to insist upon this matter so long as the necessity for it was no more apparent than at present. All that I required was, that when it was his pleasure to appoint a karbaree, he should select a man against whom the British Government had no objection to urge according to existing engagement.

(True extract.)

(signed) *A. Malet*, Chief Secretary.

— No. 14. —

MINUTE by the Honourable Mr. *Blanc*.

I CONCUR in the proposal in paras. 1 and 3 of the Right honourable President's minute, to request Colonel Outram to point out to what he refers in the extracts of his letter therein quoted, as I would fain hope, despite the disclosures in the present occasion, that the phraseology in which he expresses himself may be found to be exaggerated.

2. It is but too evident that in one instance at least, that of the case of Kristna Rao Wittul, the minutes of the members of Government have been obtained; but this it would seem was not a case conducted in the Secret department, where precautions against disclosures are more strictly attended to. From the secretary's memorandum the minutes during the process of transcription appear to have passed through many hands, and the probability of the detection of the guilty individual to be thus, I fear, greatly lessened; for the future arrangements might, I conceive, be made that the minutes of the Board, in whatever department, be given only to trustworthy and selected parties to be copied, and to such precaution the attention of the secretary should immediately, I think, be directed.

3. Colonel Outram, in para. 3, observes, "It was not, however, until lately that I obtained the clue which has at last enabled me to furnish Government with the means of reaching the delinquent, as well as to bring all the parties concerned in maintaining this disgraceful system, to the punishment they so richly deserve;" but in thus calculating on his success of the measure resorted to, he would seem to have overlooked the impossibility of compelling the person whose letters he might cause to be opened to disclose the authors of his information. The result of the inquiry instituted on receipt of his demi-official letter, dated 8th instant, has already been communicated to him. No clue to the parties from whom intelligence is obtained in the Secretariat was then elicited, and I am unable to perceive anything in the papers now forwarded in which further steps can be taken for that purpose.

4. While,

4. While, therefore, the means adopted have failed in their object, the propriety of resorting to them appears to me a point in which much doubt may be entertained.

5. For state purposes of undeniable exigency, the opening of letters transmitted through the post-office has been argued to be justifiable; but in the present instance there was merely an anonymous intimation that the transmission of intelligence clandestinely obtained from the Secretariat, but on no specific matter of moment, might be detected.

6. Although we may express our conviction that Colonel Outram has acted with the best intentions, we might, I think, intimate for future guidance, that viewing the preservation of confidence in the post-office as a matter of immense importance to the community, we regard any infraction of it as only to be justified by some specific and pressing exigency, and would not therefore wish it to be again had recourse to under circumstances such as those of the present occasion.

7. I hardly think there is any object to be attained by taking further notice of the conversations attributed in Dajee Dhondeo's letters to Captain French, under the signature of "Syee," that officer being now on the eve of departure on furlough, but this point will again come under consideration on receipt of the information proposed in para. 9 of the Right honourable President's minute, to be called for from Colonel Outram.

28 October 1851.

(signed) *D. A. Blane.*

— No. 15. —

MINUTE by the Honourable Mr. *Bell*.

I ENTIRELY concur in the sentiment expressed by the Honourable Mr. Blane in the above minute.

29 October 1851.

(signed) *A. Bell.*

— No. 16. —

MINUTE by the Right Honourable the Governor.

As my colleagues concur in the communication that I have proposed should be made to Lieutenant-colonel Outram in paras. 1 to 3 of my minute of the 24th instant, it should at once be sent to that officer.

2. With reference to the Honourable Mr. Blane's para. 6, I am of opinion it would be better for the present to defer any expression of our sentiments with regard to Lieutenant-colonel Outram having caused letters sent through the post-office to be opened in his presence.

3. I await the result of the steps the Chief Secretary may have taken consequent on paras. 5 and 6 of my minute above cited, to discover by whom the records of the Secretariat have been divulged before commenting further on the subject, or suggesting any additional measures with a view that object.

31 October 1851.

(signed) *Falkland.*

— No. 17. —

FURTHER MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell*.

I HAVE no objection to the postponement of any expression of our sentiments on the subject of the opening of letters sent through the post-office, as proposed by the Right honourable President.

(signed) *D. A. Blane.*

2 November 1851.

A. Bell.

— No. 18. —

PETITION from *Govind Vunktesh* to *A. Malet*, Esq., Secretary to Government.

Humbly sheweth,

* S. O. THAT your petitioner begs to bring to your honor's knowledge, that four packets were discovered from 24th September 1851 to this day by the Resident. On examination, they were found to contain copies of minutes of the members of council, and also the secretary; upon which the Resident sent for Wamun Row Sattay,* whom several questions were put regarding the papers, which he answered; and to bring the answers to the information of his brother Dajeeba Sattay, who is in Bombay, he managed to write to Ballajee Punt Anna, a shee-rustadar in Sudder Adawlut, a letter from Broach, in which is enclosed a letter to the address of Govind Shastree Phatuck, wherein is enveloped a letter addressed to Dajeeba Sattay.

Your petitioner, therefore, humbly prays that your honor will be pleased to obtain in any way your honor should deem proper, the letter in question, when your honor will perceive the truth of your petitioner's statement.

And in so doing, your petitioner, as in duty bound, shall pray the Almighty for your long life and prosperity.

(signed) *Govind Vunktesh*,
Resides in the Soonder Bawajee's Waddee.

Bombay, 17 October 1851.

P. S.—The receipt of letter in question may perhaps be found in the General Post-Office if search was made.

— No. 19. —

No. 400 of 1851.

From *A. Malet*, Esq., Chief Secretary to Government Bombay, to Lieutenant-colonel *J. Outram*, c. B., Resident at Baroda.

Sir,

I am directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 4, dated the 13th ultimo.

With reference to your first para., I am desired to request that you will refer more particularly, but as succinctly and as shortly as possible, to the repeated instances of the allegations which are stated therein to have been made to Government.

I am also instructed to inform you that the Right honourable the Governor in Council is not aware of the great injury to its interests that Government have sustained for many years past in connexion with the Baroda state by the systematic betrayal to that Durbar of its most secret deliberations, as stated in the latter part of the 6th para. of your letter.

I have, &c.

(signed) *A. Malet*, Chief Secretary.

Bombay Castle, 3 November 1851.

— No. 20. —

From *H. E. Goldsmid*, Esq., Secretary in attendance on the Right Honourable the Governor, to Lieutenant-colonel *Outram*, c. B., Resident at Baroda.

Sir,

Secret Department,
No. 4 of 1851.

IN para. 8 of your letter, dated 13th instant, to the address of the Chief Secretary to Government, you mention that you have grounds for believing "that a carcoon named Naraeen Rao, is the channel through which similar information relative to the consultations of Government is obtained from the Secretariat alluded to by his Lordship at Poona."

2. I have

2. I have been directed by the Right honourable the Governor to request that you will furnish me with such particulars relative to the information which you believe has been obtained at Poonah, as will enable me to take measures for ascertaining the correctness or otherwise of your belief, and if found correct, of detecting the parties who may have been guilty of betraying their trust.

I have, &c.

(signed) *H. E. Goldsmid,*

Mahableschwur,
24 October 1851.

Secretary in attendance on the Right
honourable the Governor.

— No. 21. —

To *H. E. Goldsmid*, Esq., Secretary in attendance with the Right Honourable the Governor.

Sir,

In reply to your letter, dated 24th instant, I have the honour to state such particulars as are in my power relative to the suspected channels of the information which I believe to have been obtained from Poonah; but I am unable to specify the precise nature of that information; no letter from the suspected parties at Poonah having fallen into my hands.

2. The party at Poonah, who is supposed to obtain information from some underling of the Secretariat, is one Bhikoba Bhow, formerly a carkoon of the Shastree family, but for some time past employed in the Nana Furnavise Waree, over the Paishwa dufter at Poonah, an old ally, if not a relative, of the Sattiahs. You will find this allusion to him by Dajee Dhondo Sattia, in Enclosure 4 to No. 8 of the accompaniments to my report to the Chief Secretary, "I wrote to Bhickoba Bhow something in private, but Bappoo does not know what it is all that he knows is that a correspondence passes between us," &c. ;

3. The correspondence between Dhajee Dhondoo and Bhikoba is supposed to have reference to the pretended arrangement of the form by which is to be obtained from Government the relinquishment of the Guzerat Horse, alluded to in the 18th para. of my report; in the expectation of effecting which it is believed that the minister has supplied considerable funds, which the parties in Bombay and Poonah pretend to have expended to promote that object.

4. I believe Govind Row Roria (the wakeel lately deputed to Bombay) knows much more regarding this matter than he chose to avow in the deposition forwarded with my report (Accompaniment E.); he not daring to speak out in consequence of being under the surveillance of the minister whose confidential agent was present while he was under examination; in fact, no Guicowar subject would dare to give evidence on this or any other matter in which the minister is concerned, so dreaded is he by all classes, except under our guarantee against oppression. Unless, therefore, I am authorized by Government to give such guarantee, any inquiry at Baroda will be useless.

5. The enclosure to Narain Row's letter, to which I allude in the 7th para. of my report, and in my remarks thereon in the accompanying "proceedings," was written by the cousin Abba Kaley (in the service of the minister) to Narain Row's brother, Gunesh Punt Kaley, sheristadar in the Southern Division Revenue Commissioner's Office; but not being to the address of Bhikoba Bhow, the party suspected to be in communication with the Secretariat, was returned to him, as stated in my report. Shortly after his departure, the carkoon, who had read the letter, having mentioned that it contained allusions to the Guzerat Horse intrigue, I sent to Narain Row to request that he would bring back the letter in the morning, which, however, he evaded doing, on pretence that he had returned it to his cousin.

6. On the day after the seizure of the letters, I received information, confidentially, of what had passed at the minister's house the night before, the substance of which I have the honour to enclose, wherefrom the purport of the letter referred to will be understood.

(A.

(B.) 7. Thus it appears that two channels of information have been maintained by the minister; the one, through the Sattiah brothers, with the Bombay Secretariat; the other, through the Kaley family and Bhicoba Bhow, with the Poonah Secretariat. How long the latter branch has been organized I cannot say, but the former appears to have been established under Nursoo Punt's auspices from about the time of his appointment as native agent in 1844, as may be inferred from the accompanying translation of a letter from Womun Row Sattiah (the original of which can be furnished if necessary), written from Bombay just before Nursoo's arrival at Baroda. Shortly after which Womun Row took up the position here which he has since maintained; and, from that time to this, every succeeding resident has complained of the betrayal of the secret correspondence of Government.

8. That letter shows the good understanding with Womun Row Satteah under which Nursoo Punt entered on his duties at Baroda, and this I know has ever since been maintained, while, assuredly, he has faithfully fulfilled his pledge "outwardly" to conform to the wishes of his superiors, but "inwardly" to forward the interests of others.

I have, &c.
(signed) *J. Outram*, Resident.

Baroda, 31 October 1851.

(A.)

SUBSTANCE of Information communicated by a Person connected with the Durbar on the 9th October 1851.

BHOW SAHIB (the minister), Anna Keeba, and informant, were seated together last night, when Narain Row Kalley (the suspended residency carkoon), and Abbah Kalley came. The former then informed the Bhow that a letter of his had been seized with the others, but that in the confusion it was not properly examined, and was returned to him; and he thanked God that he had thus escaped; but that, shortly afterwards, some one having raised doubts in the Resident's mind, he was called back, and the letter was read to Mr. Battye, while the Colonel was occupied with other business; but he did not appear to understand it, which was good, otherwise his relative at Poonah would have suffered. The Bhow Sahib asked what had been written in the letter so plainly that it might be understood; Narain Row replied, that "Abba had somewhat openly alluded to the subject regarding the 3 lacs* business now going on, so that it might be understood by any one, and to its having been decided that he (Abba) was to go to Bombay on that business, to complete the arrangement;" and he (Narain Row) said, that had he been near Abba when he wrote the letter, he would not have allowed him to write so; but Providence had got them out of this scrape and blinded every one's eyes.

*Viz. the Goozerat Horse.

(signed) *J. Outram*, Resident.

(B.)

TRANSLATION of a Letter from Wamun Row Dhondeo to Balcrustna and Bhesma Sunkur Shastree, without date, but received on 25th May 1844.

I RECEIVED your two letters, dated 14th and 30th Vyshack Vud (16th and 17th May) just now, and learnt the contents thereof.

I was glad to hear that the marriage ceremony of Gungoobaee went off well. Agreeably to your order, I shall give a dinner and charity to Syee Sahib, and whatever he will say I shall communicate to you. Mr. Boyd left Bombay for Baroda on Monday last. He went by land as far as Bassein, and from thence he proceeded in a boat either to Broach or Tunkaria Bunder. The Governor, with his suite, proceeded yesterday to Mableschwur at 10 o'clock a.m. Mr. Willoughby accompanied him. Nursoopunt arrived here from Poonah yesterday at 10 o'clock in a mail-coach, with the view of paying his respects to Mr. Frere, the private secretary, as also to Mr. Willoughby and other gentlemen with whom he is acquainted, and put up in the house of the Angria Walla. He sent me word, saying, that he wished to know where such and such gentlemen lived. After furnishing him with the required information, as I was going to his place, I was told he was gone to Mr. Willoughby without bathing, and after his return at 12 o'clock he bathed. I then visited him. After taking his meal, he went to visit Messrs. Escombe and Townsend, and after seeing Babajee Angria and Nana Shunkersett, he came to our house at 10 o'clock at night; Mangoe and Pan Sooparee were offered to him, and we conversed in private till twelve or one o'clock. I impressed upon his mind, by documentary proofs, the right of the persons, and requested him not to change after going to Baroda; he replied, that "outwardly I will

will conform to the wishes of my superior, &c., but inwardly I will not be a stranger to you." This and many other things he said in a friendly manner. He asked me how he is to act after he goes to Baroda, &c.; on this I gave him such advice as it appeared to me proper; I also made him sufficiently acquainted with Baroda affairs, as also about our case, about the treaties, and all other points on which he required information. He said I should act honestly towards him; to this I consented. He proceeded this morning to Bassein to join the Revenue Commissioner's camp, for the purpose of delivering over charge of his office. After doing so, in two or three days, and if he be not required to go to Poonah, he will at once go alone to Baroda. He will first put up in our garden, and afterwards look out for a place. He does not wish to live in Dhackjee's house, but to keep a house in view for him. Should he on his arrival like it, he will rent it. From his yesterday's conversation I find him firm in our friendship. I mentioned to him the case of Veneeram as an example, and said that after he gets a footing in Baroda, he will be fickle-minded; he replied, that those who are ambitious will do so, but such is not the case with him. He further said, of the gentlemen whom he visited and conversed with, Mr. Willoughby warned him to be very careful. Owing to my illness I could not sit up to write; but as I consider this an important matter, I have penned these few lines with great difficulty. I formerly sent you an English letter, an early* to which is requested.

* S. O.

(True translation.)

(signed) J. Outram, Resident.

— No. 22. —

MEMORANDUM by the Secretary in attendance on the Right Honourable the Governor.

THE Secretary lately in attendance on the Right honourable the Governor has the honour to place before the honourable Board copy of a letter which, under date 24th ultimo, he, by order of his Lordship, addressed the Resident at Baroda on the subject of para. 8 of his letter of 13th ultimo in the Secret Department.

2. The secretary has ascertained from the Chief Secretary that no proceedings, former or recent, relative to the relinquishment of the Guzerat Horse, have been transmitted to Poonah during the period of his Lordship's late visit to the Deccan.

Between June and 2 Nov. inclusive.

3. Bhasker Bhow, referred to by Lieutenant-colonel Outram, is now, the secretary believes, at Poonah, employed under Captain Gordon, and in all probability Gunesh Punt Kaley is in the camp of the Revenue Commissioner, southern division, now at Khandalla.

4. Of the clerks with the secretary at Poonah, one is now at Mahabuleshwur; another has vacated his appointment, and is now out of Government employ in Bombay; and the uncovenanted assistant who joined the secretary at Poonah, when the latter returned from Bombay on 8th September, has just returned from Mahabuleshwur to the Presidency.

5. It has been suggested to the secretary by Lieutenant-colonel Outram, that Bhasker Bow and Gunesh Punt Kaley should be "simultaneously examined, and searching questions put to them, without previous warning or opportunity to compare notes as to their communications with the Secretariat subordinates."

6. The secretary would have requested permission immediately to act on this suggestion, but for the absence of any clue as to the nature of the information supposed to have been obtained,* and for the manner in which the several parties are scattered.†

* See paras. 1 and 3 and 5 of Lieut.-col. Outram's letter, and para. 2 of this mem.

† See above, para. 1 and 4.

7. The secretary solicits instructions as to what further is to do in the matter, and how the present papers are to be disposed of.

(signed) H. E. Goldsmid.

8 November 1851.

— No. 23. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

THE papers had better be transferred to the Secret Department for disposal.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

8 November 1851.

FURTHER MEMORANDUM by the Secretary.

IN compliance with the above directions, these papers are sent in original to the Chief Secretary.

(signed) *H. E. Goldsmid,*
Secretary to Government.

8 November 1851.

— No. 24. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

THIS information is not sufficiently specific to enable us to act on it.

Colonel Outram may be informed that every practicable measure has been adopted to detect those who have been guilty of betraying the correspondence of Government.

Colonel Outram may also be thanked for his letter of the 31st October to the secretary in attendance; and it may be added, that on inquiry it does not appear that any discussion connected with the subject of the Guicowar Horse took place during the visit of the Governor to Poonah, and that therefore no information on that subject could have been communicated from thence; the conduct of the parties named by Colonel Outram, who are still in the Government service, will be closely watched, and he may be so informed.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

10 November 1851.

— No. 25. —

No. 412 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *Outram*, c.B., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 31st ultimo, to the address of Mr. Secretary Goldsmid, in attendance on his Lordship *en tour*, and to communicate to you the thanks of Government for the information therein contained.

2. I am at the same time desired to intimate to you that every possible exertion is being made in Bombay to detect the parties who have been guilty of betraying the correspondence, and divulging the proceedings of Government.

3. The conduct of the persons alluded to by you, who are in the service of Government, will be closely watched.

4. With

4. With reference to the latter part of the enclosure to your letter, marked (A.), I am desired to inform you that it does not appear that any discussion connected with the subject of the continued maintenance by the Gaekwar of the Guzerat Irregular Horse, took place during any portion of the Right honourable the Governor's recent residence at Poonah, and therefore that no information on that subject could have been communicated from thence.

Bombay Castle, 17 November 1851.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

— No. 26. —

From Lieutenant-Colonel *Outram*, C.B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay. Secret Department.

Sir,

In my letter in the Secret Department, dated 13th ultimo, para. 18, I alluded to certain intrigues lately carried on in Bombay with a view to drawing his Highness the Guikwar into the expenditure of money, under pretence of effecting the abolition of the Guzerat Horse; a repetition, in fact, of the Dakjee Dadajee intrigue, which caused such scandal in 1842-43; and I therein referred to the examination of Govindrow Roria, who, though denying that he had any concern in the matter, admitted that he had been invited to enter into the business by Anna Shastree, one of the parties concerned.

I had reason to suspect that Govindrow did not disclose all he knew on that occasion, deterred from doing so by dread of the minister, whose confidential jasood stood by his side while under examination. This is the only time I have seen Govindrow since his return from Bombay, about two months ago, during which period he has been kept under strict surveillance, and prohibited from coming to the residency under the apprehension of the minister that he would make disclosures regarding this intrigue.

I have now received a verbal message from Govindrow, through a person in whom he has confidence, intimating that he will make a full disclosure, and furnish irrefragable proofs of the truth of what he has to disclose, provided I will pledge that he shall be preserved from persecution in consequence thereof.

Believing, as I do, that by this means the real nature of this transaction, and full exposure of the parties concerned, would be brought to light, and thereby enable Government to take more effectual steps to prevent a recurrence of these dishonouring intrigues than was in their power on the former occasion, I beg leave respectfully to submit to the Right honourable the Governor in Council my recommendation that I be empowered to summon Govindrow Roria to the residency, and give to him the same assurances as the Resident was directed by Government, under date the 31st. December 1843, No. 866, to hold out to Ballajee Punt under similar circumstances; *i.e.* that "if he makes a full disclosure, he will entitle himself to the protection and countenance of the British Government, so far that it may insist that he shall not be unjustly treated."

I have, &c.
(signed) *J. Outram*, Resident.
Baroda, 8 November 1851.

No. 866.—Secret Department.

From the Chief Secretary to Government to Sir *Robert K. Arbuthnot*, Bart., Resident at Baroda; dated the 31st December 1845.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you copy of a letter from the senior magistrate of police (No. 703), dated the 22d instant, forwarding a petition from an individual named Madorow Pandoorung, stating that it is the desire of Ballajee Punt to make a full disclosure of all the circumstances connected with the transaction between the Baroda Durbar and Dakjee Dadajee in 1842-43, on the condition that this Government will obtain his release from confinement.

2. In forwarding these documents, I am desired to inform you that the Honourable the Governor in Council considers it of great importance that the precise facts of this case should even at this late period be ascertained.

3. You will accordingly be pleased to urge his Highness the Guicowar to send Ballajee Punt to the residency for the purpose of being examined on a subject which equally involves the interests of both governments. Should his Highness accede to this measure, you will proceed to examine Ballajee Punt touching his knowledge of the transaction above alluded to.

4. The Governor in Council is of opinion that if Ballajee Punt makes a full disclosure, he will entitle himself to the protection and countenance of the British Government, so far that it may insist that he shall not be unjustly treated.

I have, &c.
(signed) J. P. Willoughby,
Chief Secretary.

Bombay Castle, 31 December 1845.

(True copy.)
(signed) J. Outram, Resident.

— No. 27. —

MINUTE by the Right Honourable the Governor.

LIEUTENANT-COLONEL OUTRAM may be informed that Government is at all times ready to receive and thankful for any specific information which can lead to the detection of infidelity or treachery on the part of its servants in the Secretariat; but to enable Government to act effectually in such matters, the information sent must be sufficiently circumstantial, and the accusation made sufficiently direct and distinct to admit of measures being legally taken to bring home the charges to individuals whose names are given; that the present case does not appear to be one in which it would be advisable to follow the course he recommends; neither the data on which we should proceed, nor the results that would arise from our proceedings being sufficiently apparent. Lieutenant-colonel Outram is at liberty to pursue his own investigation at Baroda by every legal means in his power in this instance, but Government do not deem it expedient to comply with his request for a guarantee.

15 November 1851. (signed) Falkland.

— No. 28. —

MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell*.

I QUITE concur, and would ask Colonel Outram what are the "dishonouring intrigues" he is seeking to disclose.

(signed) D. A. Blane.
A. Bell.

18 November 1851.

— No. 29. —

No. 417 of 1851.—Secret Department.

From A. Malet, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 8th instant, and to inform you that Government is at all times ready to receive, and will be thankful for any specific information which can lead to the detection of infidelity or treachery on the part of its servants in the Secretariat.

2. To enable Government, however, to act effectually in such matters, it is requisite, I am to observe, that the information sent should be sufficiently circumstantial, and the accusation against any particular party or parties sufficiently direct and distinct, to afford a reasonable hope, on measures being legally taken, of bringing home the charge to the accused.

3. The case alluded to in your present letter does not appear to his Lordship in Council to be one in which it would be advisable to follow the course you recommend; neither the data on which Government should proceed, nor the results that would arise from its proceedings, being sufficiently apparent.

4. You are at the same time at liberty to pursue, in this instance, your own investigations at Baroda by every legal means in your power; but Government do not deem it expedient to comply with your request for a guarantee to the individual alluded to in your letter.

5. I am desired to request that you will furnish fuller information relative to the "dishonouring intrigues," which you state in your letter under reply you are seeking to disclose.

Bombay Castle,
23 November 1851.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

— No. 30. —

Secret Department.

From Lieutenant-colonel *Outram*, C.B., Resident at Baroda, to *Arthur Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

Baroda, 23 November 1851.

A MASS of documents have fallen into my hands, under circumstances hereafter to be reported, which throw considerable light on the pretended negotiation in Bombay for the abolition of the Guzerat Horse, by which it has been attempted, I believe, to defraud his Highness the Gaekwar of large sums of money, under very similar circumstances to the nefarious Dhackjee Dadajee transaction in 1842, referred to in the 18th para. of my secret despatch, dated 13th ultimo.

2. Many of these papers are in the handwriting of a Sowcar *confidante* of the minister Bhow Tambekur, named Nurbeyram Khoobair, addressed to his nephew Gomashta Bhanabae (alias Booriah), who appears to have been deputed to Bombay in December 1849, for the purpose of prosecuting this intrigue. Both the persons were examined by me to-day, yesterday, and the day before, when the former acknowledged the papers written by himself, and from both was elicited on their second and last examinations some very reluctant admissions of what they had flatly denied when first questioned respecting various passages in these papers, the meaning of which, where at all doubtful, will, I trust, be more fully understood as my investigation proceeds, only a small portion of the said documents having yet been examined. But I am induced in the meantime to transmit to you a few translated extracts from these papers (marked A.), together with the examinations of Nerbeyram and Bhanabhye (marked B.), as affording some data on which you can ground your examination of a Purvoo named Succaram Dada, who is so frequently therein alluded to as an active agent in the business, and who I believe to have been the party employed to communicate between the Baroda Deputy Bhonabhaee and the other Bombay agents of the Dhajee Dhondeo Sattiah branch of the intrigue; on the proceedings of which latter I hope to throw further light ere long.

(A.)

(B.)

3. By the immediate examination of Succaram, who is described by Bhanabhee as a Purvoo residing in a lane on the right side of the high road to Momadavie, before he learns the nature and extent of the disclosures at Baroda, a full confession may possibly be obtained from him, in the supposition that all has been here divulged, and such information be thus afforded as may enable you to ascertain the other parties concerned, by the simultaneous arrest and
560.

separate examination of whom the whole transaction may, I hope, be laid bare. The persons who I suspect to be deeply implicated in the other branch of the business are Anna Shastree, Tattiah Golah (carkoon of Jemobhaee Waesowalla), and Baba Nafra Bassienkur, from whose separate examination, under precautions against their communicating with each other, much may, I think, be elicited.

4. The present disclosures relate merely to the Succaram and Bhanabhaee (*alias* Booriah) branch of the intrigue, wherein your own and my name are employed as the parties to whom 10,000 and 50,000 rupees were to be given; but from the examination of the last-mentioned persons and Succaram, I trust that light will be thrown on the Dajee Sattiah branch, the agents of which had authority from the minister to expend three lakhs of rupees in other channels, as I think I shall hereafter be able to prove.

5. The minister's policy in thus employing two separate sets of agents to work out the same object will be well understood by those who, like yourself, have had any experience of Mahratta intrigue. I shall not therefore at present attempt to explain the tortuous windings of this plot. Suffice it to say, that I am satisfied the Gaekwar himself was no party to it, and I believe the minister really supposed that his Bombay agents would be able to effect his purpose, trusting that when accomplished he would find means to reconcile his Highness to an expenditure so profitably employed. The present examinations prove this; it will be observed therein that the minister is more than once quoted as saying that until the business is effected, we cannot venture to mention the circumstance to the Maharaj; and it is to the unexpected resolution of his Highness to visit Bombay prior to my arrival, that I have to attribute the 50,000 rupees, authorized by the minister to be given to me, not having been debited to my name, as the 10,000 rupees had been to yours, which Bhanabhaee admits on his examination never was given; that he never saw or had any communication with you; and that Succaram prohibited him from mentioning anything about the matter to his Highness when he came to Bombay.

6. My further inquiries will be greatly facilitated if the Right honourable the Governor in Council can comply with the request I had the honour to make in my letter dated instant, for authority to give such assurances to Govind Row Roria as would enable me to examine him on the subject. And I beg also to suggest that I may be directed to call upon the Durbar to take security from Bhow Tambeykur to prevent his departure from Baroda pending these investigations, it being reported that he purposes leaving the city in a few days on pretence of a religious pilgrimage, with the intention of repeating the game pursued by the minister, Veneram, which, as you are aware, caused so much embarrassment to Government some years ago. What leads me to give some credence to the report, is the information which has reached me, that the Bhow has been taking up large sums of money from the Sowcars within the last few days.

I have, &c.

(signed) J. Outram, Resident.

(A.)

TRANSLATED Extracts.

No. 11.

Letter, dated 25 Dec. 1849, in the handwriting of Nubheram Koobair, written from Baroda to Bhanabhoy, in Bombay.

* * * "Baba Dewrow came to me yesterday evening, and wished to know the name of the sahib from whom I used to receive letters; and whether he is in Bombay; that the sahib used to write takids, to say why do I not send a trusty person quickly to him, as he has got the business ready; that is, eight days since you arrived in Bombay, and though a letter has been received no answer has come (regarding the transaction). How is this? That Poorawalla* was asking him (Dewrow) on this subject, and wanted to know what answer he is to give him. I replied that you must have seen the sahib, and that I expect an answer from you in a day or two, when I would tell him of it. As regards the expected arrival

* Bhow Tambeyker, who resides in the Rowpoora.

arrival on the 5th January,* Dada† was telling, that after making pukka bundabust with him, he would accompany him to Baroda. After his arrival (the sahib's), I hope you will make the necessary arrangement, as proposed, and then accompany him here. Let Succaram have a perusal of this."

No. 6.

"You have written to say that you have been to Bhow Sahib,‡ and he spoke to you in private: this I have understood. But you have stated that you told Bhow Sahib that Mr. Malet wants 10,000 rupees, and that he replied that this was your (my) business, and said that it is false that Mr. Malet requires this sum. Be it known that, in this case, a 'kurrar' has been made through you, which I cannot write to you, but that 10,000 rupees have been left with him as in deposit, because the people who come to him talk big, but give nothing; therefore this sum is kept by him, as in deposit, and you are to tell Bhow Sahib this."

Without date or signature; supposed to have been written to Bhanabhoy from Bombay, to Nurberam at Baroda.

"As regards Outram Sahib, you have stated that the money should be given to him personally, and if he gives a chitty (receipt) for it, you are to give him the money with pleasure. But after receiving this chitty from him, if he does not assist in our business, you should not fall out with him, for there is a friend of his here, who is a respectable person, and though he has no employment, he receives an income of 25,000 rupees per mensem. If a document is taken from him for 50,000 rupees paid to him, there is no fear whether the sahib, on his return to Baroda, will do business through us or not; our money will be paid back, so that no disagreement will take place with any one. Such an arrangement has been made; therefore fear nothing. Both the sahib and him‡ will be satisfied, and every thing will be cleared up. You have written that the Bombay people are inquisitive people, but there is no one coming to wheedle us: to this effect Succaram Dada has written to you."

No. 1.

"You had sent in the letter, dated Sood 8 (23 December 1849), a yad regarding the 'dakla' (proofs); a copy of the yad was made, and was sent by Permanund to Bhow Sahib. * * * When your strict injunctions came, I spoke to Baba Dewrow regarding the 'daklas,' when the two were received, which I have sent with this letter. The remaining dakla (word illegible) about the rissallah, I do not know why this dakla was not sent; as Baba Dewrow is to come to me, I shall require of him, and let you know. * * * I have sent the two daklas, as required in your yad, that you may make pukka arrangement regarding the business. You have stated that the steamer from Europe has not arrived,§ but that you have made pukka arrangements on the subject. If the steamer has now arrived, write to me, after making the arrangement as proposed."

Dated 7 Jan. 1850, written by Nur-bheyram from Baroda to Bhanabhoy in Bombay.

No. 5.

"You will learn the whole from the enclosed letter. You state that 'Succaram Dada had been to Captain Macdonald, who told him that that person|| will land on the 5th January.' Very good. You further stated, that 'Please Shree (illegible), the contemplated business will be done;' this I have understood. In the yad which you obtained from (illegible), if we succeed in one of the points, it will be a great achievement. As that person is to land on the 5th, the first thing is to make a 'pukka' arrangement with him, and you should see him on his return here, or it would be better if you come along with him. If arrangement can be made, according to what Succaram Dada recommended, the same should be done.' * * * When Premanund (the writer's son) goes there,¶ he was asked whether any letters have been received from Bhanabhaee, and his reply was, that a letter has been received, announcing his arrival, and no other. Succaram Dada said, that the feast was ready, and only waiting for persons to sit down. This I have understood, but the business should be done carefully; and if you will write that you have succeeded in it, I shall then be able to go there¶ * * *. This has been written by me; after Succaram Dada has read it, destroy it."

From Nurbheram at Baroda to Bhanabhaee in Bombay, without date; but the contents shows written in December 1849.

No. 4.

* * * "I yesterday enclosed a yad, of two paragraphs, in which the year is not given, but you can manage to get the English year from some officer or other. As regards the 'rissallah,' Governor Carnac settled, in Sumvut 1906 (A.D. 1839-40), and you are to find out the English year of it. In the yad you sent me, refer to the 9th para. of the 5th Treaty relating to slaves; but on reference to the document here, it appeared to be para. 9 of the 4th treaty, of Sumvut 1861 (A.D. 1804-5). If you by mistake, you** wrote the 5th treaty, you should alter it to 4th. * * * I had written you that the Sirkar would have this on Sood 1st; a sandnee (camel) has been sent to recall Meer†† Sahib from Umreilly. Give my salam to Succaram Dada."

From Nurbheyram at Baroda to Bhanabhaee in Bombay; not dated, but from the contents written evidently in January, before the Guicowar proceeded to Bombay.

* Alluding to the return of Lieut.-colonel Outram, expected to arrive in the steamer due on the 5th January.

† Succaram Purvoo.

‡ Bhow Tambekur.

§ The steamer of January, in which Colonel Outram was expected.

|| Lieutenant-colonel Outram.

¶ To the Bhow.

** S. O.

†† Meer Surfraiz Ali.

No. 7.

From Nurbheyram at Baroda to Bhanabhaee in Bombay; no date, but evidently written within a day or two of No. 4.

"From the enclosed you will know the whole: you should have the business therein mentioned carefully done. When Jerwarry and Hurgovind will be sent with the message from Bhow Sahib, I will write you in detail. Should Bhow Sahib take Jerwarry and Hurgovind with him to Broach, you will be written to in detail from thence; and you should do the business quickly, because it is 'Sirkar' business, and we should not be made liars. As requested by you, Jerwarry and Hurgovind are sent, and care should be taken that we are not made liars. Further, regarding a yad of three paras., you need to write daily about it; but I have written to you about the two paras. Respecting the third para., which relates to the 'rissallah,' I have mentioned the year Sumvut 1896 (A.D. 1839-40). On the 30th I personally went to Bhow Sahib, and mentioned to him about this 'dakla,' who said that he had given a copy of it, transcribed by Anna Kheebay. I then said that the two daklas which were furnished, I had sent to Bombay; that of the 'rissallah' remains to be sent. On this, Bhow Sahib got Anna Kheebay to copy it, which I sent to you yesterday. When I went to Bhow Sahib, on the 30th, I told him that, 'as the Maharaj is going to Bombay, is the business to go on there or not, for which he had sent Boorabhye (Bhanabhoye) to that place?' He replied, that 'it should be carried on with zeal.' Therefore you should make pukka arrangements of the business entrusted to you." * * *

No. 8.

From Nurbheyram to Bhanabhoye, dated 31 December, 1849.

"You have written that you had an interview with the great Shett,* who has given you good hopes. * * * If satisfaction be afforded to Shettjee, by the arrangement which may be made regarding this business, then he will believe it; and my object in writing is this: that if, by every means possible, you can give cheering hopes of the business, it will be good. * * * You write that he (Colonel Outram) has not yet arrived. This I have understood; but you said, that when he lands, he will put up with Captain Macdonald. But first you should make pukka arrangements with that gentleman (Captain Macdonald), otherwise it cannot be done afterwards. You say that Succaram Dada is going about regarding this business; this is good. You say that you have met the great Sahib; write to me privately what conversation you had with him."

No. 10.

From Nurbheyram at Baroda to Bhanabhoye in Bombay; without date, but supposed to have been written about the same time as the above.

"If in what Dada Sahib was speaking about we succeed, it will render our intercourse much easier in every matter. Baba Dewrow observes to me, that I tell him everyday, that 'the feast is ready, and one can eat as much as he likes,' but nothing of it appears; how is this? This the Poorawalla† keeps inquiring of him."

No. 2.

From Nurbheyram at Baroda to Bhanabhoye in Bombay.

"I wrote you a letter on Vud 7 (3d February), that Bhow Sahib will be in Bombay on Vud 6 (2d February) * * * and I wrote yesterday, stating that as Bhow Sahib is come to your place, you should settle all the business. But Bhow Sahib left Surat on the 7th, and returned to this place this morning (Vud 11th). On his arrival, I personally waited on him, whose health is better. He asked me whether I had not yet received Bhanabhoye's (your) letter? I replied, that 'a letter had been received, but that, as to-day is Friday, I shall mention its contents to-morrow.' But the letter which you wrote me is not such a one as could be shown to the Bhow Sahib, and I shall make such answers to him as may appear proper to me: do not fear this. I told Bhow Sahib that he has returned here, and left you in Bombay. On this he said, if there is anything to be communicated regarding this business, to tell Anna‡ Sahib of it, who will clear the point with you. He is acquainted with the whole matter. * * * Whatever replies are to be sent regarding Bhow Sahib's business, you should first make Anna Sahib acquainted with the matter, and then get him to write a letter to Bhow Sahib."

No. 9.

From Nurbheyram to Bhanabhoye, dated 14 January 1850.

"In the yad formerly sent by you, you asked for three 'daklas;' two of these have already been sent to you. After which, the remaining 'dalka' about the 'russallah' was also sent, in which the year 1839-40 is given, but the dakla belongs to 1840-41; copy of which, in the Mahratta language, has been obtained from the Sirkar, and is herewith sent; and after reading the same, do the business in a proper manner (illegible). I asked him§ whether he wishes the business to be done, when Rajshree Bhow Sahib said, 'Yes, do it willingly;' therefore you should do the business with care."

TRANSLATION of the Dakla referred to.

"Taking into consideration the friendship which exists between the two Governments: thus, Sirkar to please the Governor Bhadoor, agrees to pay on account of the expenses of the 'russallah' from the end of Poush, Sumvut 1897, and that from May, Mas of this year, a sum within three lacs of rupees will be deducted on account of the tribute due to his Sirkar, which is collected through the British Government."

* Supposed to be Sunker Sett.

† Bhow Tambeykur.

‡ Anna Kheebay, who had accompanied his Highness to Bombay.

§ The Bhow.

No. 12.

"You had written that you had made arrangement regarding the former case, but that it was necessary to give Mr. Malet 10,000 rupees beforehand; that Succaram Dada was of the same opinion: you then said, that after our business is done, the money would be paid to Succaram. On this, Succaram said, that the sahib logues have no trust in we native people; and if you wished, he would take you before the sahib; that Succaram Dada has written to me in another letter, saying, that there is no fear of paying the amount. If the business did not succeed, the money would be paid back; that if the sahib did not give the money back, he (Succaram) would refund the money. All that you have written is good."

"It is true that without first paying the money the business would not be done. Even when we go to worship an idol, we make some little offering; this is a fact; but there is no fear about that. We have made an arrangement about this with our karbaree,* who had before clearly said, that even if we succeeded in a trifling matter, he would bring it to the notice of the Sirkar. After which, he would ask for the money; Succaram Dada then said very good, and to give him a yad of the different business to be done, and that he will get one of them done; that at present he did not require the cash. It is now one-and-a-half months since you went to Bombay, and not even a trifling business has been done. Bhow Sahib, the person with whom we have to do business, is at Surat. Be it known to you, that though the money is required, yet unless the business is done, it cannot be paid; you think that by paying the money, you gain a patronage; but after paying the money, dissatisfaction takes place. If the money is to be paid at all, a receipt should be taken after the "sowcaree" rule, and then the amount should be paid, regarding which there is no fear, because when our business is finished, we can give back the receipt. If Bhow Sahib had arrived in Bombay, and, if after consulting him, the money is to be given, the same should be paid, otherwise how could we take upon ourselves to pay it? Bombay is a place where there are lots of persons to wheedle you; but if, at this time, the money is once given, it will never come back; and the people will call us fools, and say, that without making a bundabust with the Sirkar, why should we give the money beforehand: I have a thousand times told you that money cannot be given beforehand. If the sahib logues have no trust in us, a chittee may be given, in which it should be written, that when one† business is done, the money would be paid according to the agreement. But unless a bundabust is made, the money should not be paid."

* The Bhow.

† S. O.

The above is written by a Goomashta. What follows is in Nerbheyram's own hand.

"You will learn the whole from the above. Further, Pandooba Ramchunder is with the Governor's lady, regarding whom you write daily, saying that, after inquiry, you will write to me. This you should bear in your mind, and after seeing him, write to me the result of your meeting. If the money is paid beforehand, and the business is not done, we shall be sufferers by it; therefore when the business is done, the money should be paid. A chittee may be given, that when the business is done the money would be paid.

(True extracts.)

(signed) J. Outram, Resident.

(B.) No. 1.

TRANSLATION of the Deposition on Oath of Nurbheram Koobairdass; religion, Hindoo; caste, Besular Benian; profession, Shroff; aged about sixty years; inhabitant of Baroda; made before the Resident on the 21st November 1851.

Question. LETTERS Nos. 1, 2, 3, 4 and 5, are shown to you; state in whose handwriting they are?—Answer. The first line of letter No. 5 is in the handwriting of Hurgovind Goomasta; the rest is in my hand. From paras. 1 to 4 are written by Goomasta Hurgovind, but the conclusion is written by me.

To whom did you write these five letters?—I wrote them to my nephew, Bhanabhaee, when he was in Bombay.

Why did you write these five letters, and on what subject are they?—It is nearly two years since these letters were written; but I cannot speak from recollection of their contents. If I see the letters, I may be able to say.

These five letters are shown to you; state why were they written, on what subject, and by whose advice?—As my sight is bad, I cannot read them; but I wrote them by the advice of the person whose name is mentioned therein.*

Where are the letters which you have received from Bombay in reply to those sent by you?—If I see the string of letters which I have in my house, I shall know, but I cannot say where they are.

On what business did you send your nephew, Bhanabhaee, to Bombay?—To examine the accounts of my shop in Bombay.

You state that you sent Bhana to examine the accounts of the shop; but from a perusal of your letters to him, it does not appear that you sent him for that purpose?

* Bhow Tambekur,

—He was sent to Bombay on account of the shop business; but after he went there, some person may have desired him to do business for him, which will be known by reading the letters.

Letter No. 3, dated Poush Vud 7th, Sumvut 1906 (A.D. 5 January 1850), the conclusion of which is written by you, stating that "Bhow Sahib and Baba Daverow" promised to give you copies of the "daklas" on your asking them for the same; but that if the latter delays giving them, you would obtain direct from Bhow Sahib. This letter is given to you to read. State what are the "daklas" referred to?—My friendship with Bhow Saheb and Daverow is great, and the "daklas" referred to may be relating to my own affairs, which I must have asked them for.

What are these "daklas" relating to your affairs?—What can I recollect now, that I could tell.

It is not two years since the letter dated Poush Vud 7th (5 January 1851) was written, and it is impossible that you, being a sowcar, after reading the letter, cannot bring the matter to your recollection; state truly whatever it may be?—How can I recollect now what those "daklas" were, and my reply is the same as given above.

You wrote letter No. 2, dated Poush Vud 9th, of Sumvut 1906 (7 February 1851) to Bhanabhaee, the 5th and 10th paras. of which are read to you. In these paras. it is stated that the "daklas" are required quickly; that two of these you had sent, and the third will be sent afterwards. Something about the rissalla is also mentioned, and about making pukka arrangement on the arrival of the steamer, &c.; state what is the meaning of the allusion to the rissalla, and about the arrangement to be made on the arrival of the steamer, and what were "daklas" you sent, and what was that which remained to be sent?—That about the "rissalla" refers to my money transactions; as regard the steamer, I expected cotton in it, and the two "daklas" I sent were regarding my own affairs; the remaining one was also on that account; but what the subject was, I don't recollect.

In the English steamer no cotton is ever brought; how, therefore, do you write this?—I get letters regarding the prices of articles, &c., by the steamer.

From what time have you commenced to deal with the "rissalla," and with what rissalla have you dealings?—Prior to Sumvut 1899 (A.D. 1842-43), I had dealings with the Scinde Rissalla, and I had desired to get letters on the authorities there for the recovery of the sums due to me.

In your letter you made no mention about your claim on the Scinde rissalla, but you only mentioned the rissalla; how is this?—If I had written openly, you and I would know it.

You mentioned above that you have claims on the Scinde rissalla; but in your letter, No. 4, addressed to Bhanabhaee at Bombay, you have, at the close of it, written with your own hand, which is read to you. In this you have mentioned the name of "Governor Carnac," and also written a great deal about the rissalla, and about the 9th para. of treaty fourth, and that Meersurfrazallee has been sent for from Unrelly. This does not appear to have any connexion with the Scinde rissalla you mention. State what necessity was there to write all these matters in your letter; speak truth?—Bhanabhaee may have written to me from Bombay on these matters, and I wrote him what I may have heard from people.

You state that you wrote what you had heard; but it appears, from what Bhana wrote to you, you had made particular inquiries, and then written to him: such appears from your own letter; it does not show that you had heard it; therefore state all that is clear and true?—What I had heard from inquiries made direct I wrote to him.

Letter No. 5 is written in your hand, which is read to you, in which you quote these words: "Succaram Dada had heard from Captain Macdonald that Colonel Outram would arrive on the 5th January." On this you wrote to say, "Please Shree Ambeckajee (Deity), * the business will be done as contemplated." That you had obtained a yad from Rampoor,* and that if one of the trifling or important cases is achieved, something will be got here, that beforehand things should be so arranged, that, on the arrival of the person on the 5th, a pukka settlement might be effected, &c.; state what all this means?—When Succaram Dada was at Baroda, he, after entering into an arrangement with me, took a yad of two or four cases to be done; afterwards he told my Bhanabhaee that Captain Macdonald is friendly with Colonel Outram, that the latter will land from the steamer on the 5th January, and that he would make a pukka arrangement with the Colonel; and from what Succaram told, Bhanabhaee wrote to me. On this I wrote in the manner above stated.

You are not a guaranteed person; besides, what sort of claim have you that it was necessary to make a pukka arrangement with me? as your claims are in the Guicowar territory, why should any arrangement be made with me?—It is true, I am not a guaranteed person; but I have claims of lacs of rupees in Baroda, and therefore wished your patronage.

As your claims of lacs of rupees are against the Guicowar's ryots, and you are a subject of his, how could the Resident interfere in your affairs, so as to require a pukka arrangement to be made with Colonel Outram?—Bhana had written to me to say that Succaram had told him that Colonel Outram will land on the 5th, when a pukka arrangement will be made with him, so that he will get my claims paid, and will support me.

When Colonel Outram arrived, did you make the arrangement as above stated?—No.

Why was not this done?—After that, I received no letter.

Where are the letters received from Bombay regarding the pukka arrangement to be made?—They are among the letters produced before the Sirkar for Sumvut 1906.

In

* The Bhow.

In letter No. 5 you have written to Bhana, that when Purmanund goes to Bhow Sahib, the latter asks whether letters from Bhana are received, and he replies that a letter about his arrival has been received; that Succaram Dada was saying "the feast is ready, and only waiting to be seated," &c.; what is the meaning of all this, and what sort of claims had you that it was necessary for Purmanund to go to Bhow Sahib?—I am friendly with Bhow Sahib, and when he is alone, Purmanund goes to him, and asks him for any work to be done.

Who is Succaram Dada, and where did he live here?—He was an English writer, and resided in front of Dhakjee Wara.

In whose employ was he?—He had no employment.

Where is he now?—In Bombay.

When did he go from here?—About the same time as Bhana went from here.

(signed) *Nurbheram Koobairdass,*
himself.

Continuation of Nurbheyram's Deposition, 22d November 1851.

Question. IN your letter No. 5 to Bhanabhoy at Bombay, you stated that when you receive the desired letter from him, you will deposit it with his aunt (your wife): you are here required to produce the said letter?—*Answer.* The letter in question was delivered to Bhana's aunt; but when Bhana returned from Bombay, it was returned to him; therefore from where can I produce it?

Letter No. 7* is shown to you; state whose handwriting it is?—The whole is written by me.

Letter No. 8 is shown to you; state in whose handwriting it is?—The first portion is in the handwriting of Hurgovind Goomashta; the rest is in my hand.

Letter No. 9 is shown to you; state in whose handwriting it is?—The first portion is in the handwriting of Hurgovind Goomashta; the rest is in my hand.

In Letter No. 7 you state that, "as Govindrow has arrived in Bombay, he (Bhana) should meet him;" what is the meaning of this?—It was on account of some coloured paintings that Govindrow had been sent for; those paintings are in my house; and as Govind Row had gone to Bombay, I desired Bhana to show him other paintings.

The letters, the lower portions of which are written by you, are here shown to you.

Letter No. 9, you say, you did not write; but that the whole is written by Goomashta Hurgovind; why did you not write at the conclusion of it?—Sometimes I write and sometimes do not.

What does the yad of three paras. relate to?—It may have been about the "russalla," in Mahratta.

In Letter No. 7 you have written that you have sent "daklas" (proofs) relating to the "russalla," and refer to the year Sumvut 1896 (A.D. 1840); but "it relates to Sumvut 1897 (A.D. 1841), that a copy of this dakla in Mahratta was obtained from the Sirkar, and sent, and after perusal, to do the business; that Bhow Sahib says that the business should be carried on with zeal, and that you had written to say, to do the business "carefully"; what is the meaning of this?—Agreeably to what Bhana wrote, I made inquiries, and obtained, as above stated, the "daklas" from the Guicowar Sirkar, and wrote according to what Bhow Sahib told me.

In your reply to the questions put to you yesterday, you stated that the allusions to the russalla referred to your money transactions with the Scinde Rissalla; but in your reply to the above question of this date, you state that you had obtained certain "dakla" from the Guicowar Sirkar, and that, according to what Bhow Sahib had told you, you had written; state, therefore, to what russalla you allude?—The russalla which I mentioned yesterday, is the one with which I have money transactions; the one mentioned to-day is that to which I have referred in my letter written by Hurgovind, and which I have now deposed after its perusal.

In para. 13 of letter No. 8 you have written, that you have sent a rough draft respecting the three paras.; that you told Baba Daverow to keep a copy of it; that when the copy, including the year, is received, it will be sent, &c.; state what that copy was which was received from the Sirkar?—I shall on seeing the copy, give a reply now or to-morrow, after considering on it.

You have stated that, after considering on it, you will make your reply to-morrow; but this will not do. All those letters written by you are shown to you; state by whose advice you wrote them?—After consulting Baba Daverow and Bhow Sahib, I wrote the letters.

Did you have the letters received from Bhanabhoy read to Bhow Sahib?—The purport of all those letters received from Bhana was told to Bhow Sahib, and according to what he said, the replies were sent.

When Bhanabhoy went to Bombay, was any settlement made with him by Bhow Sahib regarding the russalla?—No.

If no settlement was made, what was the reason of Bhana going to Bombay, and writing letters in the manner above stated?—Bhana must know this; unless I know, how can I say?

You

* Letters numbered 1, 2, 3, 4, 5, and 6, had been acknowledged by him on the previous day.

You and Bhana being subjects of the Guicowar state, how could Bhana write such letters to you, unless he had permission to do so?—When Bhana went from here, he must have made some settlement beforehand, but I do not know; this is not a small matter that it can be done without permission.

Letter No. 10 is shown to you; state in whose handwriting it is?—The first portion is written by Hurgovind, and the rest is in my handwriting.

Letter No. 11 is shown to you; state in whose handwriting it is?—The first portion is written by Hurgovind, and the rest in my handwriting.

(signed) *Nerbheyram Koobeirdass,*
by himself.

(B.) 2.

TRANSLATION of the Deposition on oath of Booreeaorff Bhanabhoy Bhowanedass; religion, Hindoo; caste, Veesalar Banian; profession, Goomashta; aged about 41 years; inhabitant of Baroda; made before the Resident on the 21st November 1851.

Question. Did you go to Bombay?—*Answer.* Yes.

In what year?—In Magsheir, of Sumvut 1906.

On what business did you go to Bombay?—I went on account of my shet, Nerbheyram, whose shop is in Bombay.

Besides the business of your shet's shop in Bombay, did you do any Sirkaree business?—I did no other business except that of my shet's shop.

Document No. 6 contains two paras.; on the top the word "copy" is written; the same is here shown to you; state in whose handwriting it is?—It is not in my hand; nor do I know anything about it.

Did your shet, Nerbheyram, write to you from Baroda, authorizing you to do the business of the Gaekwar Sirkar?—My shet only wrote to me to do the business of the shop, and not that of Sirkaree.

Nos. 1, 2, 3, 4, 5, are shown to you; they are letters written to you by your shet, Nerbheyram; are not those letters addressed to you?—Yes.

Do you know the purport of these five letters?—I shall know it by reading them.

Did you send replies to those letters which your shet sent to you?—If I received the letters; I may have replied to them.

Nerbheyram, in his letter to you dated Poush Vud 7, states, that he has given the yad to Baba Dewrow, regarding proofs, that if the same is not got there, it be obtained from Bhow Sahib; state what was the proof that you require?—I do not recollect now what it was, as this is a circumstance of many days; but what may be stated in the letter, must be correct.

In Nerbheyram's letter, No. 2, addressed to you, it is written that you had urgently required daklas of paras. 5 and 10; that two daklas were sent from hence, but the 3d would be sent afterwards; mention is also therein made about the "russalla" (Guzerate Irregular Horse), and that when the steamer from Europe arrives, pukka arrangement would be made, &c.; you are, therefore, called upon to state what these daklas were, and what pukka arrangement had to be made regarding the russallah on the arrival of the steamer?—Succaram told me in Bombay that if I effected anything in that business, I would get praise; on this, I wrote to Nerbheyram Shett to send "daklas."

You state above, that Succaram spoke to you in an ambiguous manner; but you wrote to Nerbheyram, that you were to make pukka bundabust about the russalla, and about the arrival of the steamer, &c.; state clearly what are the daklas referred to, and from whom they were to be got?—Succaram told me, that when Outram Sahib will have arrived in the steamer, he would introduce me to that gentleman, therefore I wrote so. Succaram also said, that a tukoor is going on about the "russalla," between the Gaekwar and the British Governments; and desired me to write to my shetts, and obtain "daklas," and that we would take trouble on that account; and if we succeeded in obtaining the abolition of the russallah, we would receive praise. For this purpose I wrote to Nerbheyram Shett. The shett, after obtaining daklas from the Gaekwar people, sent them to me. When the Maharaj arrived in Bombay, Succaram then said, we should not speak to any one on this matter.

What was the purport of the "daklas" your shett, Nerbheyram, sent you?—If I have those "daklas" by me, I shall look for and produce them; but I do not recollect their purport.

To whom were these daklas to be given?—They were sent for by desire of Succaram; but I do not recollect the name of the gentleman to whom they were intended to be given.

From whom did Nerbheyram obtain these "daklas" which he sent you?—Nerbheyram must know best, since he sent them.

Have you any transaction in the russallah?—No.

You write to Nerbheyram, that Colonel Outram will arrive on the 5th January in the steamer; that that gentleman is a friend of Macdonald Sahib; that Succaram, through Macdonald Sahib, will make a pukka arrangement; and on this Nerbheyram wrote to tell you to do so. State regarding what business that pukka arrangement was to be made?—The pukka arrangement meant for the recovery of the sums due to my shett at Baroda.

Both you and your shett are residents of Baroda, and the recoveries are to be made natives of Baroda, and you are not a "guarantee." Therefore, what pukka arrangement respecting

respecting them could have to be made with Outram Sahib?—As we transact money matters with the Sahib logues, it would be better if we made friends with them.

In the money matters which you transact with the Sabibs, the Resident has no concern; why, then, should you seek the Resident's favour?—If we have money transactions with the Gaekwar Sirkar, and if the Resident's favour is on us, it would be good.

In letter No. 5, Nerbheyram quotes your words, that "Succaram Dada says, that the feast is ready, but only waiting to be seated;" state what pukka bundabust was made, and what great object was achieved, to which this alludes?—What Succaram had said, I wrote.

(signed) *Bhanabhoy Bhowanedass,*
himself.

Continuation of Bhana Bhowanedass' Deposition, 22d November 1851.

WHERE are those letters which you wrote from Bombay regarding the russallah?—They may be among the papers of Nurbheyram for Sumvut 1906 (A.D. 1849-50), which are before the Sirkar.

If these letters are not among them, where must you have kept them?—All the letters regarding the "russallah" were written from Bombay, and I was myself there; they must be in the shop here.

After your return from Bombay, did you look for your letters?—No.

Did you write from Bombay, saying that all the letters which you wrote about the "russallah" should be kept in a safe place?—I may have written so; but whatever may be written in the letter is correct; I do not recollect.

Did Nurbheyram return you those letters regarding russallah, &c., which you had written to him from Bombay?—He may have given them to me; but they are mislaid.

By whom were they mislaid?—By me.

As the other letters in the shop have not been mislaid, how came these to be so?—Sometimes it happens that such letters are mislaid.

You have stated above, that after your return from Bombay, you did not see those letters. Now you say that you mislaid them; which is true?—What I said first is false; that which I say now is true.

Letter No. 2, dated Magh Vud 11th, Sumvut 1906 (A.D. 7 February 1850), is written by Nurbheyram to you, the purport of which is, that Bhow Sahib asked him if he got any letters from Bhooreea (you), and he replied yes; but as that day was Friday, he would next day tell him every thing. What was so important in the matter you wrote about that it could not be told on a Friday; state what you wrote from Bombay?—As this circumstance is of many days, I do not recollect what I wrote there.

Letter No. 7 is addressed to you by Nurbheyram, in which he desires you to meet Govind Row late; what was the object for meeting Govind Row?—It was to present my salam; but I had no conversation with him upon any business.

What was the subject of the yad you sent from Bombay containing the three paras., and in which the year Sumvut 1896 is given?—Whatever may have been written in the paper is correct; I do not recollect it.

Letter No. 8 is addressed to you by Nerbheyram, in the 13th para. of which, it is written, that he had spoken to Baba Dewrow regarding the three drafts you sent here, who will retain copies of them; that the year will be copied, and sent to you, &c., state what these rough drafts were about?—I do not know; what is written in the letter must be correct.

When you went to Bombay, you wrote letters to your shett, Nerbheyram, regarding the russallah, &c. business, and he sent replies to them; state by whose order you undertook that business?—When I sent to Bombay, Succaram told me that there is a dispute with the Guicowar Sirkar regarding the russalla, and desired me to obtain "dakla." On this, I wrote to my shett at Baroda, saying, that Succaram had told me that the dispute with the Guicowar Sirkar respecting the russalla can be settled, and to inquire with the Durbar, and forward "dakla" on the subject. On this, my shett wrote to say that he spoke* Bhow Sahib, who desired him to write to Booreea (myself), and to tell me to conduct the business, and if I succeeded in it I would receive "abroo" (praise). That whatever money be expended on it, he would tell the Mahraj, and get it paid; and the shett told me, that if I can do the russalla, &c. business of the Mahraj, to do so. In this way Bhow Sahib instructed my uncle (Nerbheyram); in consequence of which, I conducted the business of the russalla, &c., and I wrote to my uncle to send "daklas," &c., who, after obtaining them from the karbarree, sent them to me.

* S. O.

23d November 1851.

Question. IN the 1st para. of letter No. 6, it is written, that 10,000 rupees has been left in deposit with Mr. Malet; state on what account this money was deposited?—*Answer.* Succaram Dada had told me that 10,000 rupees will have to be given to Mr. Malet; on this I wrote to my uncle (Nerbheyram) to inform Bhow Sahib that I had kept in deposit 10,000 rupees. The reason of my writing so is this, that unless I wrote so, the money would not come; but I did not deposit the 10,000 rupees with Mr. Malet.

Did you receive the 10,000 rupees from Bhow Sahib?—No.

Nerbheyram, in his letter to you, No. , dated Magh Vud 9th (7 February 1850) quotes your own words, in which you had stated that Succaram had told you that it will be necessary to give Mr. Malet 10,000 rupees beforehand, to which you had replied,

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that when the business is done, the money will be paid; on this, Succaram told you that Mr. Malet was a Sahib, and you are a Banion, so he cannot put any trust in you, and that if you wished, he would take you before that gentleman: such is the purport of the letter. State if Succaram took you to Mr. Malet?—Succaram only told me as above stated; but I never went to that gentleman.

In the letter of Magh Vud 9th, it is stated that Succaram told you that there is no fear about paying the money; that if the business is not done, the money would be refunded; for, if the Sahib would not repay it, he (Succaram) would pay it. State if he spoke to you in this manner?—Succaram spoke to me as above stated; but, as I had no faith, I did not give the money beforehand.

In the letter dated Magh Vud 9th, written by Nerbheyram to you, he alludes to five cases. State what they are?—One was about the "russalla," the second was about our currency, and the third was about slave girls, which, as far as I recollect, I have mentioned; but there is a Maharatta yad about these five cases; what may have been written in it must be correct.

Where does Succaram reside in Bombay?—He lives on the high road to Mammadavee, on the right side as we go in a line.

In the second para. of letter No. 12, mention is made about Rajeshree Pandooba Ramchund. State where does this person reside?—My shet had written to me to say, that as Pandoo Ramchund is living in Bombay, I was to go and see him; on this, I made inquiries for this person, but he could not be found. I therefore do not know where he lives.

In the letter No. 12 above mentioned, your shet had written to say, that as this Pandoo Rumchund is with the Guicowar's lady, you were desired to go alone and see him, and whatever conversation may pass between you two, to write to him. State whether you visited this person or not; if so, mention what conversation you had with him?—I made inquiries about this person, but he was not to be found; consequently I had no conversation with him.

(signed) *Bhunabhoy Bhowunedass,*
himself.

Continuation of Booriea's Examination on the 22d November 1851, accidentally omitted in its proper place.

Question. You have stated above, that with the view of gaining "abroo," you wrote to your shet to send the "daklas;" from where did you expect this abroo?—*Answer.* Succaram having told me that I would gain "abroo," I was induced to write to my shet in the matter.

Who is Succaram, and where is he employed, that he should tell you that you will get "abroo," and from where are you to get it?—I do not know where Succaram is employed; but he told me that I would receive "abroo" from the Guikwar Sirkar.

You state that you did all this to gain a livelihood; state who is to give you this livelihood?—The Guikwar Sirkar, whose russalla business was to be done; if not him, who else?

You have written, that the English steamer will arrive on the 5th January, and that person will put up at Macdonald Sahib, with whom a pukka arrangement will be made through Succaram; state distinctly what that arrangement was?—Succaram told me that Captain Macdonald was friendly with Colonel Outram, and he would introduce me to the latter; on this, I wrote to Nerbheram to say that I would make pukka arrangement; but this I did not do.

In letter No. 6 you have written that 10,000 rupees are left in deposit to pay Mr. Malet; that permission was granted to pay 50,000 rupees to Colonel Outram on his arrival; state on what account this money was to be paid, and through whom the arrangement was made that induced you to write so?—From what Succaram told me, I wrote to my uncle, Nerbheyam, about it.

Is Succaram such a great personage that you should, by depending on him, write in this manner?—It was not a cucumber, that I could first cut and try it.

In letter No. , you have written to say, that the "feast is ready, and only waiting to be seated;" and again, in another letter (No. 10) it is written, that, "according to what Dada Sahib was saying, if one of the cases was done, it would be good; and Baba Daverow says that you daily write to say, that the feast is ready, but only waiting to be seated; but as yet nothing is known; that Poorawalla keeps inquiring of him on the subject." This was written from hence; state what is the meaning of all this?—Succaram Dada had said, that the business regarding the "russalla" was ready, i. e. the "feast was ready, and only waiting to be seated."

(True translation.)

(signed) *M. Battye,* Assistant Resident.

— No. 31. —

MEMORANDUM by the Chief Secretary.

1. THE Chief Secretary begs to state, that after some delay, in consequence of the vague direction for discovering Sukaram Dada, a person called by that name, but whose real name appears to be Succaram Rugonath, formerly a writer in the office of the adjutant of the 18th Native Infantry, when that regiment was at Baroda, attended at his office to-day.

2. He says that he has a slight acquaintance with Nurbheram Kooberdass, and also with that person's sister's son, Bhonabhye Bhowaneedass; but that as to his ever having anything to do with Baroda affairs, he has no concern with them whatever.

3. That he knows Anna Shastree, who is a religious man of consideration in Bombay, but has never even heard of Tateea Gola or Baba Mogia Bassenkur; that he does not know Colonel Outram at all; and that his only acquaintance and business with Captain Macdonald has been in consequence of a commission from another person to recover a debt from him.

4. It is impossible with certainty to say whether the above is the person indicated by Colonel Outram; if he be, either the implication of him by the evidence taken at Baroda is wrong, or he will not confess his participation in the affairs in which he is said to have been concerned.

(signed) *A. Malet,*
Chief Secretary.

1 December 1851.

— No. 32. —

MINUTE by the Right honourable the Governor.

THIS is a charge against the minister of the Guicowar of endeavouring by corrupt means to obtain the abolition of the Guzerat Horse; it appears that his Highness is not supposed to have been cognizant of the matter.

2. It is well known that the abandonment or diminution of the annual charge of three lakhs of rupees for the maintenance of this body of men is an object of great importance to the Guicowar, and one, therefore, the attainment of which would ingratiate with his Highness any minister who would compass it; so long, however, as Bhow Tambekur is not proved to have infringed our laws, or to have acted in contravention of existing treaties, we cannot, except in the case of his committing some grave offence against the dignity or interest of this Government, be entitled to remonstrate with the Guicowar on his conduct.

3. I should regret, however, were he to endeavour to secure his ends by corrupt means; but it does not even appear certain from these papers that he has made an attempt so futile. I hope the use on this occasion of Colonel Outram's and Mr. Malet's names will convince the former officer that accusations are not proof, and sometimes not even reasonable grounds for suspicion.

4. There is no person of the name of Pandoba Ramchunder either in my establishment, or that of Lady Falkland.—*See Appendix (A.), last paragraph.*

5. Our browbeating Succaram Dada (a name very common in Bombay), who in an interview with the Chief Secretary denied any connexion whatever with their intrigues, is equally out of the question with our simultaneously arresting within the jurisdiction of the Supreme Court the other parties concerned, whom Colonel Outram conjectures might be discovered by such a mode of proceeding.

6. Colonel Outram should be informed that Government cannot grant him the authority he requests, to demand security from Bhow Tambekur, the Guicowar's minister.

8 December 1851.

(signed) *Falkland.*

— No. 33. —

MINUTE by the Honourable Mr. *Blane*.

It does not appear to me that there is anything tangible against the minister, Bhow Tambekur, in these papers.

The case would seem to be one of attempt to obtain money under false pretences by a person named "Saccaram," one over whom we have no control, nor even the means of his identification. As remarked in one of the extracts, "Bombay is a place where there are lots of persons to which you," and the futility of any cognizance of accusations of that nature by Government, except where there is evidence of parties in their employ being implicated, is but too obvious.

2. In the extract No. 6 the minister is represented to have repudiated as false the pretence on which the money was demanded.

3. I fully concur in Colonel Outram being informed as proposed in the concluding para. 2 of the Right honourable President's Minute.

10 December 1851.

(signed) *D. A. Blane*.

— No. 34. —

MINUTE by the Honourable Mr. *Bell*.

I FULLY concur there is nothing tangible in these papers.

11 December 1851.

(signed) *A. Bell*.

— No. 35. —

No. 444 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c.B., Resident at Baroda.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 23d ultimo, with enclosures, and to inform you, that it does not appear to the Right honourable the Governor in Council that there is anything sufficiently tangible in the documents therewith sent against Bhow Tambeekur, the Gaekwar's minister, to necessitate the demand, as you suggest, from his Highness's Durbar, of security being taken from that individual, to prevent his for the present quitting Baroda, and that, therefore, Government is precluded from granting you authority to make this requisition.

2. With reference to the 3d para. of your letter, I am to inform you, that a person named "Succaram Rughouth," who there appears reason to believe is identical with "Succaram Dada," has been traced out in Bombay; this individual, on being examined before me, has admitted that he is acquainted with some of the parties alluded to in your letter, but denies any connexion whatever with the intrigues referred to by you.

3. The Governor in Council is not disposed to adopt towards this person the course suggested by you, nor to authorise, as you recommend, the simultaneous arrest of the other parties residing in Bombay, within the jurisdiction of the Supreme Court, with the view of ascertaining what parties are really concerned in these intrigues.

I have, &c.

(signed) *A. Malet*, Chief Secretary.

Bombay Castle, 16 December 1851.

— No. 36. —

Secret Department.

From Lieutenant-colonel *Outram*, C.B., Resident at Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

A PERSON calling himself Bhaskur Bhaee Sett arrived yesterday from Bombay, and having presented a note of introduction from a friend at the Presidency, informed me that he came, by your authority, to make over to me an original letter, addressed by Venaik Wamun Sattiah, at Baroda, to Dhajee Dhondoo Sattiah, in Bombay, which he said you had had translated, but could make no legal use of, as the writer was not at hand to acknowledge its authenticity, which should be ascertained by me at Baroda.

2. Although doubting the truth of this representation, supposing, of course, that had you thought necessary you would yourself have sent me the letter for identification, and concluding, therefore, that the context of the letter so clearly showing its authenticity, you, considering an attested copy sufficient for all purposes, had returned the original to Bhaskur, who desired to make a merit of their bringing it to me in the expectation of reward; still, as the document, if authentic, so entirely confirms the opinions I had expressed in my report, dated 13th ultimo, of the guilt of the Sattiah brothers, I thought it right to summon to the Residency, and question regarding it Wamun Row Dhondoo Sattiah, the person most interested in sending the information it contains, and Venaik Wamun Sattiah, the supposed writer.

3. Translations of their examinations I have the honour to annex (A.), and at the same time to forward the original letter, and the note in which it was enclosed, together with their translation (B.)

(A.)

(B.)

4. As might be expected, Wamun Row at first denied all knowledge of the handwriting, but was at last constrained, when the signature was shown to him, to admit that it is written by Venaik Wamun Sattiah; but he, of course, declares that he was no party to concocting the instructions therein conveyed to his brother Dhajee.

5. Venaik Wamun could not deny that he wrote the paper, but, as a matter of course, disavowed collusion with Wamun Row, and wished to make it appear to be a mere news' letter, notwithstanding its very plain object, and the explicit allusion to two other letters despatched previously, "to enable you (Dhajee) to make your replies to those questions" (that might be put by Government), which letters, if not yet received, Dhajee was to await; evading previous examination by "excuses of indisposition."

6. The meaning and object of the letter are so obvious, that it requires no comment from me. It is all that was required, if further evidence was required, to prove beyond cavil that the brothers Sattiah were the channels through which the secret records of Government were obtained for the Baroda minister.

I have, &c.

(signed) *J. Outram*, Resident.

Baroda, 27 November 1851.

(A.)

TRANSLATION of a Statement made by Wamunrow Satteh; Caste, Hindoo; Religion, Duccanee Brahman; Profession, Service; aged about 43 years: Inhabitant of Baroda; before Colonel Outram, Resident of Baroda, on the 26th November 1851.

Question. A letter, written on fine post paper, in Maratha, dated Assoo Sood 15th (10 October 1851), and its enclosure, are shown to you. State in whose handwriting they are?

—*Answer.* Having seen these papers, I beg to state that they are not of my handwriting. I cannot identify the writing, as not the whole letter, but only four lines, written in a very small hand, are shown to me, and the "challisee" (40 years age) has rendered my sight defective.

Why can't you make out the handwriting from seeing these four lines, as the whole letter is written in the same hand?—As it is written on very thin paper, and this kind of writing not being seen every day, I cannot identify it.

The letter in question is given to you; see the whole of it, and say in whose hand it is written?—From the letter I cannot identify the writing; but from the concluding three words of signature, I feel certain that they are of Venaik Wamun Satteh's hand.

By whose order did Venaik Wamun write this letter?—He must know that it was not written at my desire.

Has any letter been written on any other subject than that of the above letter?—I communicate by dawk to my brother, Dajeeba Satteh, in Bombay, all that has been occurring here.

Did you make any suggestions to Dajeebha with regard to his answering any questions that might be put to him by the Bombay Government?—I have not made any such suggestion, but sent him some of my answers to the questions you put to me, for his information, in my own handwriting.

Venaik Wamun wrote to instruct your brother, Dajeebha Satteh, to answer the Bombay Government in the manner he proposed. State whether you told Venaik to do so?—No.

As there appears no reason why Venaik should address Dajeebha without your consent, state what may be the object of his writing to Dajeebha without your knowledge?—I never advised Venaik to write; he should therefore be called on to explain the cause.

(signed) *Wamunrow Dhondoo Satteh.*

(True translation.)

(signed) M. Battye, Assistant Resident.

TRANSLATION of the Deposition on oath of Venaik Wamunrow Satteh; Religion, Hindoo; Caste, Deccanee Brahmin; aged 47 years; Profession, Service; Inhabitant of Baroda; made before the Resident on the 26th November 1851.

Question. A letter from Bombay, dated Assoo Sood 15th (A.D. 10 October 1851), in the Maratha character, was received in Bombay, through the post-office, enclosed in a slip of paper, written also in Maratha: these two papers are shown to you. State in whose handwriting they are?—*Answer.* They are written by me.

Para. 1 of the said letter is shown to you to read. State by whose advice you wrote this?—When I went to Wamunrow Satteh, he told me that such and such accusations had been brought against him. I asked him what they were; he replied, that some person who must be his enemy had enclosed in a packet to his address some paper. After this I went to my house. Four or five days afterwards,* as I was in the habit of corresponding with a friend of mine in Bombay, by name Vishnoo Bhut Pooranick, I enclosed in his letter a note to the address of Dhajeeba Satteh, with a request that the same be delivered to Dhajeeba.

* N.B.—The Letter is dated 10th October. Wamunrow was examined on the 8th, 9th, and 10th October.

Para. 2 of the said letter is shown to you to read. State what need was there for you to write thus?—What I had heard from Wamunrow I wrote to Dhajeeba, to make him acquainted with the matter.

The 3d para. of the said letter is shown to you to read. State why you wrote thus?—My reply to this is the same as that given to question 2d.

Is the signature below the 3d para. your's?—Yes.

Supplemental para. 1, which is written below your signature, is read to you. State by whose advice you wrote it?—What I had heard from Wamunrow I wrote from my own head.

At the end of each para. you have written, that if he (Dhajeeba) be questioned before the Bombay Government, he should reply as suggested by you. State by whose advice you wrote these suggestions to Dhajeeba?—What I had heard from Wamunrow Satteh, and as Dhajeeba is my friend, I went to my house and wrote him a letter, and gave him my advice, that if the Bombay Government put him any questions, he should reply to them as therein indicated.

You have in the last para. of the letter suggested, that "if any question be put about Mr. Grant, he (Dhajeeba) is to say that he heard the report from the persons who visited him." State what need was there to write so?—Dhajeeba being my friend, I wrote so from my own head.

Why did you send your letter to Dhajeeba enclosed in that of Vishnoo Poorawick, and not direct by post?—Thinking that Dhajeeba may have got into some scrape, I therefore sent his letter enclosed in Vishnoo Bhut's letter, who is my friend.

After these letters were intercepted, used you to send all the letters to Vishnoo Bhut, or to any one else?—I may have written, but do not recollect the names of any one except Ballajee Punt Leemay and Vishnoo Shastree Satteh.

On what business are Ballajee Punt and Vishnoo Shastree employed, and upon what subjects were the letters addressed to them?—The letter to Vishnoo Punt was regarding domestic affairs, and that to Ballajee was to inquire after his welfare. The letter to Dhajeeba was to get him to send two pieces of juggernathee, &c. I do not recollect having written anything else. In Vishnoo Punt's letter I enclosed no letter for Dhajeeba.

In Ballajee's letter you enclosed a letter for Dhajabee; in that letter did you give him (Dhajeeba) any advice as above?—I may have written briefly, but do not recollect.

In this letter dated Assoo Sood 15th (10 October), you have written to Dajeeba to say that

that you sent "two letters through the Broach post-office, one to the address of Govind Shastree Patuk, and the other to Ballajee Punt, to enable you (Dhajeeba) to make your replies to those questions;" but above you state that you "do not recollect;" as only a month and a half has elapsed since you wrote those letters, how is it that you have forgotten their tenor?—What I had heard from Wamunrow I had written, and therefore do not recollect it, nor was there any occasion to keep the same in mind.

In this letter you have instructed Dhajeeba, that should he be called before the Sirkar before the receipt of those letters, he should "make excuses of indisposition, and remain away for a few days." In this way strict injunctions were given by you that when those letters were received, replies were to be given according to instructions therein contained. This is not a trifling matter to be easily forgotten. State how is this?—I may have written something regarding what I have stated in my reply to the above question, but except that, I have not heard anything else.

By whose authority did you thus write to Dhajeeba in Bombay, and give him instructions as to how he should make his replies?—No one gave me any authority to do so; but I wrote what was usual to write to a friend when one hears of anything.

After you came from Poonah, were you employed under the Gaekwar?—I came here in Vyshock (April), and got an employment in Jest (May).

(signed) *Venaik Wamun Sattch.*

(True translation.)

(signed) *M. Battye, Assistant Resident.*

(B.)

TRANSLATION of a Letter from Venaik Wamun Sattch to Dhajeeba Dhondeo Sattch, dated Assoo Sood 15th, Sumvut 1907 (A.D. 10 October 1851).

THE four letters which you sent by post to me after Bhadurwa Vud 14th, were taken by the Resident from the tappal man, and after calling me into his presence, opened them before me. Some of the letters were returned to me, and some were kept by him, and it appears to me that some questions are to be put to you through the Bombay Government on the subject. To enable you to make your replies to those questions, two letters have been sent to you through the Broach dawk, one to the address of Govind Shastree Patick Nisbut, Sudder Adalut, and the other to Ballajee Punt Anna Leemya, which you will receive to-day. If you do not receive them, make inquiries for them, and regulate your replies accordingly. If, however, you are called before the Sirkar ere the receipt of those letters, you should make excuses of indisposition; and remain away for a few days. The following replies you should make:

1. "That the packet containing the minutes regarding Kristnarow Withul is not mine, nor is it in my brother's handwriting, but that some person through deceit put it into the packet which was addressed by my carkoon, and sent it. I know nothing of the matter, neither have I any connexion with Kristnarow Withul." Such a reply I made here, and you should give the same there.

2. "After the 'Kubjee' Mhal was released from attachment, the Vyvut of Umreilly was under my father, but that of the vukeelship of Umreilly I used to do at Baroda, in consequence of which the Gaekwar Sirkar put me three questions, viz., one regarding the guns, the second regarding 2,000 coories annually received from the Joonaghur on account of 'Someshwur' temple, and the third on account of balances, which, however, has been settled; but in case any further information might be required, I wrote to my brother at Baroda on the subject." In this manner you should give your reply.

3. "As regards Venaik Punt Sattch and Govind Shastree, the former went to Baroda for employment, and after receiving satisfactory answers from Bhow (Muratthey) and Tatia (Susrabhoodey) respecting the conduct of Venaik Punt Sattch, I wrote to my brother." Such an answer should be given.

Having been called at the Residency at ten o'clock to-day, he* is gone there; on his return, whatever may have transpired there, you shall be informed of the same. Not being fully conversant with this matter, I have written above all that I could recollect of what he told me; but you will learn the whole from the two letters sent to you as above mentioned. You must be very careful now and keep all the letters in a safe place. As he† was going to the Residency, he wrote to me to write to you, which I now do. Do not fear anything.

* Wamunrow.

† Wamunrow.

(signed) *V. W. S.*

1. You had written that you could not get hold of the Much Kullum, and if they question you on this point, say it means Baba Fudkey, because Much is a fish which eats all its young ones (family); so is this person. As regards the treasonable chit, say "my brother had written to me to inquire from Rorea's friend Rowjee Bhaskerjee, and that individual's carkoon, how and from whom the said chittee was received, and if it be necessary to spend a few rupees on it, the same should be done; that after making these inquiries, nothing

was traced; therefore I wrote to say that I could not get hold of the Much Kullum." In this manner you should reply.

2. If any question be put about Grant Sahib, you can say that you heard the report from the people who used to visit that gentleman.

The label is addressed as follows :

To Vishnoo Bhutjee Keilkur Pooranick. From Satteli (meaning: Venaik Wamun.) The letter for Dhajeeba Satteli is enclosed in yours, which you should give him personally, it being one of importance, and no delay should take place in its delivery; with this assurance it is enclosed to you.

(True translation.)

(signed) *M. Battye,*
Assistant Resident.

— No. 37. —

MEMORANDUM by the Chief Secretary.

WITH reference to Colonel Outram's letter of the 27th ultimo, the Chief Secretary begs to inform the Honourable Board, that the letter now forwarded appears to be the one which Bhaskur Byeset brought to him, and which, as containing nothing of sufficient consequence to warrant its being retained, was returned by the Chief Secretary to that person, with the knowledge of Government, on the 19th ultimo.

The Chief Secretary begs to state that he did not give to Bhaskur Byeset any authority to proceed to Baroda, nor prescribe any use to be made of the letter.

Bombay,
2 December 1851.

(signed) *A. Malet,*
Chief Secretary.

— No. 38. —

MINUTE by the Right honourable the Governor, concurred in by the Board.

LIEUTENANT-COLONEL OUTRAM may be informed that the Chief Secretary was directed to return to Bhasker Bhaee Sett the letter which this person had delivered to him, but that no direction or authority was given to Bhasker Bhaee Sett to proceed to Baroda, or to apply to Colonel Outram on the subject.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

2 December 1851.

— No. 39. —

No. 432 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, C.B., Resident at Baroda.

Sir,

I AM directed to acknowledge the receipt of your letter dated the 27th ultimo, with enclosures, and to inform you, that, in conformity with instructions from the Right honourable the Governor in Council, I returned to Bhasker Bhaee Sett the letter subsequently delivered to you by that individual, but that no direction or authority was given to this person by Government, or by myself personally, to proceed to Baroda, or to communicate with you on the subject thereof.

Bombay Castle,
10 December 1851.

I have, &c.
(signed) *A. Malet,*
Chief Secretary.

— No. 40. —

Extract Bombay Political Consultation.

From Lieutenant-colonel *Outram*, C. B., Resident at Baroda, to *Arthur Malet*, Esq., Secret Department.
Chief Secretary to Government.

Sir,

Baroda, 13 December 1851.

THE two channels of communication through which the minister has been in the practice of obtaining illicit information from the Secretariate have been separately reported on, the one under date the 13th October last, the other under date the 23d November.

2. As, however, one intrigue was carried on by means of both channels, and has so been alluded to in my reports, I consider it would be convenient were I now to afford you a clear summary of the entire correspondence that has passed thereon.

3. In para. 18 of my despatch of the 13th October, this intrigue was brought to the notice of Government as a conspiracy that had of late been organized to defraud his Highness the Gaekwar of large sums of money, under pretence of effecting, through improper influence with high officials at the Presidency, the abolition of the Guzerat Irregular Horse; and I suggested certain measures whereby I hoped to unmask the transaction, which I further described as a renewal of the Dhakjee Dhadajee one, which had caused so much vexation to Government in 1842-43.

4. On the 31st October I gave further clue to the conspiracy, in my letter to Mr. Goldsmid, and suggested measures anew.

5. On the 3d November you did me the honour to reply to my communication of the 13th October, but you did not allude to my 18th para.

6. On the 8th November I intimated to you that I had received overtures from Govind Row Roria to disclose and furnish proofs of the whole intrigue, provided the same security were held out to him as had formerly been granted to a party making disclosures in the Dhakjee Dhadajee transaction.

7. On the 17th November you were directed to inform me that "it does not appear that any discussion connected with the subject of the continued maintenance by the Gaekwar of the Guzerat Irregular Horse took place during any portion of the Right honourable the Governor's recent residence at Poona, and therefore that no information on that subject could have been communicated from thence."

8. With reference to the conclusion of the above quoted para. I beg to submit, that in the same manner as a correspondence was carried on under pretence of bribing you and me in 1849-50, letters could lately have passed between corruptionists under pretence of bribing other officials.

9. In reply to my request of the 8th November, you were directed to inform me, under date 23d November, that "it would be unadvisable to follow the course" I had recommended, viz., of extending to Govind Row a guarantee that he should not be "unjustly treated," but that I was at liberty to pursue, in this instance, my "own investigations at Baroda by any legal means in my power."

10. On the 23d November I submitted a series of letters, acknowledged by their receiver and writer, detailing a similar intrigue carried on under direction of the minister in 1849-50, and I again requested permission to hold out the guarantee to Govind Row Roria, as being a person able to make important disclosures connected therewith.

11. On the 27th November, the day whereon you probably received my letter last referred to, a final stop was put to my further investigations, by your being directed to communicate my removal from office.

12. On the 2d December I handed up such further evidence as had been collected prior to the receipt of your letter announcing my removal.

13. I now forward translations* of two other documents, which I have thus long retained in the hope that my letter of the 23d November, above referred to, would

* (A.) (B.)

would induce his Lordship in Council to afford the requested guarantee to Govind Row, and that then I should be enabled to learn from that individual the name of the party in Bombay with whom the agreement detailed in these documents had been entered into.

14. This agreement was, as shown by the papers themselves, to the effect, that in the event of success the negotiator should receive the Gaekwar's vukeelship at Bombay, three lacs of rupees, and reimbursement of such sums as might be expended in prosecuting the negotiation.

15. Govind Row, however, is now in close confinement, and when present events become public, will probably be induced to give up all inculpatory documents, and to subscribe such false testimony as the minister may deem fit to dictate.

I have, &c.
(signed) J. Outram, Resident.

(A.)

TRANSLATE of a Mahratta Yadee, of 6 Paras., without Address or Date.

1. As regards the payment of the Katteewar tribute, it was formerly decided that payment should be made in the "Ant currency," at the rate of 20 per cent., without reference to the changes in its rates, which rate has been done away with, and 6½ rupees has now been fixed.

2. Since the transfer of the Mooluckgheree, the people have been encroaching on the Sirkaree land. Therefore one fixed arrangement should be made, that when the Mooluckgheree was made over to the British Government, the arrangement which then existed should be acted up to; so that whatever lands have been since encroached upon by either party should be inquired into by the Kamdars, and to whosoever the land belonged at the time of the Mooluckgheree transfer, the same should be made over to its owner.

3. If in the guaranteed nemnooks which have been given to persons any reductions were made, a correspondence ensued between the two Governments, but now all private or domestic matters are also taken up; this should not be allowed. So long as business is carried on according to treaty, no correspondence should take place.

4. In the 6th para. of the 2d Treaty it is written, that vukeels can be stationed at both the Sirkars; therefore a vakeel should be stationed in Bombay.

5. In the 9th para. of the 5th Treaty it is written, that the British Government should not give refuge to Guicowar's servants, ryots, slaves, &c., offenders, without the consent of the Shumsheir Bhadoor (Guicowar); yet this is done. If the Sirkar's slave girls are enticed away into the British territory, and are there heard of, they should be restored to the Sirkar.

6. The three lacs of rupees on account of the Russalla is a new imposition. Veeneeram is held up as the cause of this. At present we are on friendly terms with the British Government; therefore things should be carried on as before, and the charge of three lacs of rupees should be relinquished.

(True translation.)

(signed) M. Battye, Assistant Resident.

(B.)

TRANSLATE of a Mahratta Yad, of 5 Paras., without Name and Date.

* Viz. the annual charge of the Guzerat Irregular Horse.

1. IN the 6th para. it is stated, that if the payment of three lacs of rupees * are remitted by the British Government, you will receive one year's payment of three lacs of rupees.

2. In the 4th para. it is written, that if the Bombay Government will authorise the appointment of a vakeel at Bombay, you will get the said appointment; four carquoons will be placed under you. As regards the pay of the vakeel, and other expenses, whatever agreement we enter into on the subject shall be acted up to.

3. As regards the yad of four paras.,† whatever arrangement shall be made on the subject, the expenses incurred thereon I will pay you.

4. Six

† Supposed to have been a separate yad of instructions respecting the Russalla (Guzerat Irregular Horse).

4. Six assamees, on your part, will be employed under the Gaekwar Sirkar. Two of them will receive pay, with reference to their rank and position, according to what we may settle between us, and no obstacles will be made for their continuance.

5. You will receive palkee nemnook according to what our kamdars here receive.

(True translation.)

(signed) *M. Battye,*
Assistant Resident.

— No. 41. —

MINUTE by the Right honourable the Governor, subscribed to by the Board.

THE authenticity of the accompanying papers, or the weight to be attached to them, is by no means rendered apparent by Colonel Outram, and I am not at all inclined to swerve from the mode of proceeding I have hitherto advocated on the several occasions to which Lieutenant-colonel Outram has referred; I would still decline to grant the guarantee asked for in behalf of Govindrow Roria.

Paras. 7 and 8 of Colonel Outram's letter are simply inconsequential; as no correspondence took place, none could have been betrayed.

(signed) *Falkland.*
J. Grey.
D. A. Blane.
A. Bell.

6 January 1852.

— No. 42. —

No. 35 of 1852.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to the Resident at Baroda.

Sir,

I AM directed to acknowledge the receipt of Lieutenant-colonel Outram's letter, dated the 13th ultimo, with enclosures, and to inform you that his Lordship in Council is not inclined to depart from the mode of proceeding previously indicated to Lieutenant-colonel Outram, and declines therefore to grant the guarantee suggested by that officer in behalf of Govind Rao Roria.

I have, &c.

(signed) *A. Malet*, Chief Secretary.

Bombay Castle, 22 January 1852.

— No. 43. —

Secret Department.

From Lieutenant-colonel *Outram*, c. b., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

Baroda, 11 November 1851.

I BEG to apologize for the delay that has occurred in replying to your secret despatch, No. 400, dated 3d instant, caused by my having had to look over the records for the past 10 years, during which period I believe my predecessors in office to have been cognizant of the fact, that the purport of the secret despatches of Government reached this Durbar before they were received by the Resident.

2. My own impression was, that my predecessors had repeatedly communicated the circumstance to Government, but the only official allusions thereto that I can find are four instances in Mr. Boyd's secret despatches of 1843, and one by

Captain French in 1849, the extracts containing which I have the honour to append. But I am so certain that almost every one, if not all, of Mr. Boyd's successors, Mr. Ogilvie, Sir Robert Arbuthnot, and Mr. Andrews were aware of, if they did not animadvert on, the infidelity of the Secretariate, that I conclude they must have communicated the fact to the political secretary privately; I am informed that Mr. Ogilvie certainly did so, which can be ascertained by a reference to that gentleman.

3. I was under the impression that I had spoken on the subject to yourself and Mr. Willoughby more than once, both before going to Egypt, and during my last visit to Bombay; for I had long felt assured that such treachery was practised, and I could have had no scruple to express my conviction of the fact. I can only find, however, that I did so officially in my "Statement of Facts," dated 10 April last, though I supposed I had previously brought the circumstance to the notice of Government.

4. In the paper referred to (9th para.) I stated "There is nothing, as Government is well aware, relating to Baroda matters that takes place in the Secretariate, that does not find its way to this place." And in the 5th para. of the original "Statement," which was some days before Government, though the passage was subsequently struck out of the amended draft, I had written, "But when I received the Advocate-general's report, it was too late to rectify the evil arising out of the Chief Secretary's misapprehension; for there could be no doubt that in the meantime Baba Nafra, informed of my suggestions as well by his friends in the Secretariate."

5. Moreover the "Maurice" letter, which is quoted in that statement, very clearly showed that such treachery existed: that letter, dated 3 January 1849, conveyed to Nursoo Punt (consequently to the minister, with whom he was in secret alliance) the purport of an official despatch, dated next day; and not only this, but it also communicated other decisions at which Government had arrived, and which could only have been derived from the secret deliberations of Government; the despatch embodying them not having been written (or at least dated) until the 12th January, or nine days subsequent.

6. With reference to your second para. in which you inform me that "the Right honourable the Governor in Council is not aware of the great injury to its interests that Government have sustained for many years past in connexion with the Baroda State by the systematic betrayal to that Durbar of its most secret deliberations," as stated in my 6th para., I, with the utmost deference, beg leave to declare, that I am deeply impressed with the conviction that I have not in the least degree overestimated the injury to the interests of Government so caused, and to add, moreover, that not only its interests, but those of the Gaekwar subjects have seriously suffered therefrom; for I do believe that the many instances in which for years past the Resident has failed to induce the Durbar to adopt measures recommended by Government to the present as well as to the late Gaekwar, whether calculated for the mutual benefit of both Governments, or for the amelioration of the condition of the Baroda people, his endeavours to effect these objects have been frustrated owing to his Highness' evil advisers* having been forewarned by the prior information obtained by the Durbar, as to the nature of the communications the Resident had to make, thereby enabling them to predispose his Highness to oppose such measures, and to prepare arguments and excuses wherewith to meet the Resident on their discussion.

I have, &c.
(signed) J. Outram,
Resident.

* It being the interest of these men and of their agents, the corrupted Residency subordinates, to foster opposition on every possible occasion, during the existence of which only they reaped their gains.

(signed) J. Outram, Resident.

EXTRACTS from Despatches addressed by Residents at Baroda to Government, intimating that Information was treacherously obtained from the Secretary's Office.

1. SECRET despatch from Mr. Boyd, dated 14th December 1842 :—

"My intelligence in the interim went to show that his Highness was in constant correspondence with the Presidency on the subject of Heera Lal's imprisonment, and further, that he was very soon aware of the instructions of Government to institute an inquiry into the alleged disbursements in his name, and that Government had determined to call for information from himself; indeed this must have been known to his Highness before the receipt of your letter of the 4th at Baroda."

2. Secret despatch from Mr. Boyd, dated 2d February 1843 :—

"I beg to remark that his Highness had early received intelligence that his reply had not proved satisfactory to Government, and that I had been instructed to tell him, &c., &c."

3. Secret despatch from Mr. Boyd, dated 19th May 1843 :—

"I have not done this in a formal manner by yad, because in the first place the information can at any rate do no harm; I am convinced it was already well known, &c., &c."

4. Secret despatch from Mr. Boyd, dated 1st December 1843 :—

"This (Bhow Shastree's) brother, who is kept in Bombay for the purpose, and he, keep up a regular correspondence relating to what takes place in the Government offices; with this, however, I have not immediately to do."

5. Extract from a letter addressed by Captain French to Government on the 15th March 1849 :—

"I have had the honour of receiving your letter, No. 930 of the 7th instant, regarding the suit of Jumnabae *versus* Damodhur, and may here mention that the sentiments of Government on the case were known in the city before the receipt of your letter."

(True extracts.)

(signed) J. Outram,
Resident.

— No. 44. —

MINUTE by the Right honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

LIEUTENANT-COLONEL OUTRAM, in the first para. of his letter, No. 4, dated 13th October, stated, "Government have been repeatedly informed by my predecessors and myself, that its most secret councils are systematically betrayed and communicated to this Durbar, no despatch in the Secret Department even ever reaching the Resident's office, the purport of which had not previously been conveyed to the minister."

Being required on the 3d November to state the instances to which he alluded, he has replied in the present letter; the very few facts contained in which, although they are sufficient to establish that Government has at times, and in a few cases, occurring at long intervals, been apprised that information has been received by the Durbar before the orders of Government reached the Resident, by no means bear out Colonel Outram in using the exaggerated terms which I have quoted.

The private communications alluded to in his second and third paras., if ever made, are not on record, and it may fairly be assumed that in no instance did there appear, from any communication made by Colonel Outram, a chance of detecting the culprits, or the matter would not have been passed over without efforts being made to do so.

The circumstances under which the removal of Mr. Hogsflesh from the political branch of the Secretariate took place in 1848, as well as those attendant on the dismissal of Bhasker Bhysett on the 11th December of the same year, show that even with every wish to detect those who betray the confidence reposed in them under the system hitherto pursued, proof was rarely procurable; and in the latest instance we have had, the accident of a particular paper being found in Mr. Marston's box, was the only connecting link between him and the very parties whose letters contained translations of the minutes recorded by the members of Government.

I am of opinion that Colonel Outram has adopted most singular ideas of the powers possessed by Government to prevent individuals from endeavouring to obtain secret information. The Guicowar has a full right to employ newswriters in Bombay, and we must not be surprised at either his Highness or his minister

paying well those who furnish them with the best information. The officials in our employ who may be proved to have betrayed their trust will be suitably dealt with ; this is the extent of our power in such cases ; our laws even in cases of bribery do not admit of our punishing the person who administers the bribe ; it is apparent therefore that, in as far as regards matters of this nature, we have no cause of quarrel with the Guicowar, either as respects his own conduct, or that of his minister, unless in such a case as is supposed in para. 2 of my minute of this day's date.

I must record the regret I feel that a system under which the confidence of Government has been so long betrayed, should not have been earlier put an end to ; detection of individuals was doubtless difficult, but the knowledge that matters in the Political and Secret Departments were made known to parties interested in the mode in which they might be decided, should long since have led to an alteration in the mode in which the business of those departments was conducted ; it is to be hoped that the changes now being introduced in the Chief Secretary's office will have the desired effect, and that we shall not again have cause for dissatisfaction on this account.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

9 December 1851.

— No. 45. —

MEMORANDUM by the Chief Secretary.

WITH reference to the Right honourable the Governor's minute, dated the 24th October last, the Chief Secretary has the honour to state that he has, with the permission of the Honourable Board, made such alterations in his establishment in the mode of conducting the business and in providing for the security of the records, as he trusts will, with vigilance, ensure secrecy for the future.

8 December 1851. (signed) *A. Malet*, Chief Secretary.

— No. 46. —

No. 221 A. of 1851.—Political Department.

From Lieutenant-colonel *J. Outram*, C.B., Resident at Baroda, to *Arthur Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

(A.) IN continuation of my report in the Secret Department, dated 23d ultimo,
(B.) handing up extracts from certain papers which had fallen into my hands, together
(C.) with depositions of the writer and of the receiver of the said papers, I have now
the honour to transmit a brief abstract of my proceedings in the case (A.), and
further depositions (B.), also a packet of original letters found among Nurbhey-
ram's papers (C.), which, though not those sought for (viz. Booria's replies to
Nurbheyram's letters, on which the investigation was grounded), contain such
further allusions to the " Bhow," as, with the further evidence elicited from Booria,
clearly establish that the minister was the instigator of the intrigue. The purport
of the missing papers is, however, shown in the quotations therefrom in Nurbhey-
ram's letters, of which translated extracts from those numbered 1 to 12 were formerly
transmitted ; the original papers, with translated extracts, are now forwarded in
(D.) packet (D.), together with other of Nurbheyram's letters, No. 13 and 14, which are
referred to in Booreea's subsequent examinations.

In consequence of the obstacles thrown in the way of the investigation by the
Durbar, reported in my separate letter of this date, I have been unable to go
further into the case.

I have, &c.

(signed) *J. Outram*, Resident.

Baroda Residency, 2 December 1851.

P.S.—From the frequent allusions in these papers to one Pandoba Ramchunder, who is, I understand, a carkoon, or purvoo, attached to his Lordship's the Governor's suite, I suspect he is the party through whom, principally, the information derived from Poonah was obtained, besides being concerned in this particular intrigue.

(signed) *J. Outram*, Resident.

No. 1.

TRANSLATED Extract of a Letter, dated Poush Vud 9th, St. 1906 (A.D. 7 January 1850), from Nurbheyram Koobair, at Baroda, to Banabhoy Bowaneedass, at Bombay.

* * * 5. FURTHER, you wrote to say that if I cannot furnish the three proofs (daklos), to say so; this I have understood. But I here enclose two proofs, the receipt of which please send; the remaining proof when I get, I shall send to you. In these two proofs you will say there is no date, or month given; but in them the year is mentioned; so that by referring to the whole of the documents, you will know it. The remaining proof has come to hand, which I shall send you, but you are to be on the look-out.

10. You had sent in the letter dated Sood 8 (23 December) regarding the "daklos" (proofs) a copy of the yad was made, and was sent by Permanundbhaee to Bhow Sahib; but whether or not for two days he spoke in private to Bhow Sahib, or whether the latter did not speak to the former on the subject, I do not know; but when your strict injunctions came, I spoke to Baba Daverow regarding the "daklas" (proofs), when the two were received, which I have sent with this letter: the remaining "dakla" [illegible] about the russalah. I do not know why this dakla was not sent. As Baba Daverow is to come to me, I shall inquire of him, and let you know. At present you are in need of the said proof, so you had better manage to get it there. If I get it within one or two days from Baba Daverow, I shall send it to you. I have sent you the two "daklas," as required in your yad, that you may make pukka arrangement regarding the business. You have stated that the steamer from Europe has not arrived, but that you have made pukka arrangement on the subject; this I have understood. If the steamer has now arrived, write to me after making the arrangements as proposed to you.

(True extract.)

(signed) *M. Battye*,
Assistant Resident.

No. 2.

TRANSLATED Extract of a Letter from Nerbheram Koobair to Bhanabhoy Bowaneedass, dated Magh Vud 11th, St. 1906 (A.D. 7 February 1850).

2. I WROTE you a letter on Vud 7 (3 February), stating that Bhow Sahib will be in Bombay on Vud 6 (2 February, Thursday), *via* Surat, in a steamer, after which I received your letter, saying that the Sirkar sent Daverambhoy to Surat, on Friday last to bring down Bhow Sahib, should his health permit; and a reply to which I wrote yesterday, stating as Bhow Sahib is come to your place, you should settle all the business. But Bhow Sahib left Surat on the 7th, and returned to this place this morning (Vud 11); on his arrival, I personally visited him, whose health is better. He asked me whether I had not yet received Banabhoy's (your) letter? I replied that a letter has been received, but as to-day is Friday, and many people are coming to see you, I shall mention its contents to-morrow; but the letter which you wrote me was not one that could be shown to Bhow Sahib. When you write again do so, after you have minutely inquired into the matter, and let your answer be a final one, and I shall show the letter to Bhow Sahib, and I shall make such answers to him as may appear proper to me; do not fear about this. I told Bhow Sahib that he had returned here, and had left Boorabhoy (yourself) in Bombay; and this he said, if there is anything to be communicated regarding this business, to tell Anna Sahib of it, who will clear the point with you. He is acquainted with the whole matter; and whatever you may have to ask or to communicate, you should tell Anna Sahib of the same, and make him acquainted with all the matter. Whatever replies are to be sent to Bhow Sahib, you should first make Anna Sahib acquainted with the matter, and then get him to write a letter to Bhow Sahib; and whatever you may desire him to write, you should inform me.

(True extract.)

(signed) *M. Battye*,
Assistant Resident.

No. 3.

TRANSLATED Extract of a Letter from Nerbheram Koobair, at Baroda, to Bhana Bawanedass at Bombay, dated Poush Vud 7th (Saturday), St. 1906 (A. D. 5 January 1850).

CONCLUSION in Nerbheram's own writing. * * * You will understand the whole from what is written above. You have stated that a yad has been sent, and if proofs are not received soon [illegible]. You will be made a liar; and if delays takes place, a person will have to be sent for the same; this I have understood as detailed by you. Be it known, that it is eight days since I gave a copy of that yad to Baba Daverow, who prolongs the time by telling his. To-day Permanundbhaee went in the morning to Bhow Sahib, who saw him in private, and asked him why he spoke to Baba Daverow on the subject; that if he had told him (Bhow), he would have instantly given the proof. That Baba Daverow had copied it, and he will give it; Purmanund said that Baba Daverow will give it to him to-day. That Permanund Bhaee went to Baba Daverow, to tell him that if he has got the proof, to give it up, otherwise not to trouble himself about it. After he returns, he will go to Bhow Sahib, and get the proof soon from him, and send it to you. You have stated that the steamer has not arrived; this I have understood. After its arrival, and after the arrangement is made, write to me. You have stated that you will send sweetmeats on the English deivalee,* to Messrs. Malet and Legyt; this I have understood. In your next I shall know if you have sent the sweetmeats. You have further stated, that when the proofs will arrive according to the yad sent by you, the whole of the business will be settled, and then I shall see the tumasha: this is good. Please God, I shall send the proofs to-morrow. You state you will send Succaram's letter to-morrow; this I have understood; give my salam to him.

* Christmas Day.

(True extract.)

(signed) *M. Battye*,
Assistant Resident.

No. 4.

TRANSLATED Extract of a Letter from Nerbheram Koobair, of Baroda, to Bhanaboy Bowneedass, without Date.

* * * I YESTERDAY enclosed a yad of two paras., in which the year is not given; but you can manage to get the English year from some office or other. As regards the Russalah, Governor Carnac settled it in St. 1896 (A.D. 1839-40), and you are to find out the English year for it. In the yad you sent me, you refer to the 9th para. of the fifth treaty, relating to slaves; but, on reference to the document here, it should be para. 9 of the fourth treaty of St. 1861 (A.D. 1804-5); if you, by mistake, wrote the fifth treaty, you should alter it to fourth; but if in the yad you took, it is written fourth, then it is right; but if it be the fifth treaty, still the year St. 1861 (A.D. 1804-5) should stand good [illegible]. I had written you that the Sirkar would leave this on Sood 5 or 7, but he will positively leave this on Sood 1. A "sandnee" (riding camel) has been sent to recall Meer from Umreilly. Give my salam to Succaram Dada. I delayed answering your yad so long because I had been suffering from indisposition for 18 days, and could not go there,† and the business could not be done by any one else.

† Meaning to Bhow Tantbeykur.

(True extract.)

(signed) *M. Battye*,
Assistant Resident.

No. 5.

TRANSLATION of a Guzerattee Letter from Nerbheram Koobair, at Baroda, to Bhanaboy Bowanedas, at Bombay, without Date.

You will learn the whole from the enclosed letter. You state that Succaram Dada had been to Captain Macdonald, who told him that that person‡ will land on the 5th January. Very good. You further stated that "Please Shree" [illegible] (the Deity) the contemplated business will be done;§ this I have understood of the yad, which you obtained from [illegible]; if we succeed in one of the points, it will be a great achievement, as that person is to land on the 5th; the first thing to do is to make a pukka arrangement with him, and you should see him on his return there, or it would be better if you come along with him. If arrangement can be made according to what Succaram Dada recommended, the same should be done; give my salam to him, and say, that unless he takes the trouble to do all that we had contemplated here, and will write to me, I shall be unable to see any one. When Pernanund (the writer's son) went there,§ he was asked whether any letters had been received from Bhanaboy, and his reply was, that a letter had been received announcing his arrival, and no other. Dada Succaram said that the feast was ready, but only waiting for persons to sit down to it; this I have understood.

‡ Meaning Colonel Outram.

§ To the Bhow.

derstood. But the business should be done carefully; and if you will write that you have succeeded in it, I shall then be able to go there.† * * * This has been written + To the Bhow. by me; and after Succaram Dada has read it, destroy it.

(True extract.)

(signed) *M. Battye,*
Assistant Resident.

No. 6, Shree.

TRANSLATION of a Letter, without Date or Signature.

1. You have written to say that you had been to Bhow Sahib, and he spoke to you in private; this I have understood; but you have stated that you told Bhow Sahib that Mr. Malet wants 10,000 rupees, and he replied that this was your business, and said it is false that Mr. Malet requires this sum. Be it known, that in this case a "puttun" (arrangement) has been made through you, which I cannot write to you, but that 10,000 rupees has been left (or is to be left) with him‡ in deposit, because the people who came to him talk big, ‡ Mr. Malet. but that is nothing; therefore this sum is kept by him in deposit; and you are to tell Bhow Sahib of this.

2. As regards Outram Sahib, you have stated that the money should be given to him personally; and if he gives a chittee for it, you are to give him the money with pleasure. Be it known, that after receiving the chittee from him, if he does not assist in our business, you should not fall out with him, for there is a friend of his here who is a respectable person; and though he has no employment, he receives an income of 25,000|| rupees a month. If a document is taken from him, and 50,000|| rupees paid to him, there is no fear. Whether the Sahib on his return to Baroda will do business through us or not, our money will be paid back, so that no disagreement will take place with any one. Such an arrangement has been made; therefore fear nothing. After the Sahib return to Baroda, both the Sahib and you will be satisfied, and everything be cleared up. You have written that the Bombay people are deceitful people, and cannot be depended on; but there is no one coming to wheedle us. To this effect Succaram Dada has written to you; on reading which, you will become acquainted.

|| May also be interpreted 5 or 7,000 Rs.

(True translation.)

(signed) *M. Battye,*
Assistant Resident.

No. 7.

TRANSLATION of a Letter written by Nurbheyram Koobier, or his Son, to Bhanabhoye Bowaneedass, without Date.

FROM the enclosed you will learn the whole; and you should have the business therein mentioned carefully done. When Terwaree and Hurgovind will be sent with the message from Bhawoo Sahib, I shall write to you in detail. Should Bhawoo Sahib take Terwaree and Hurgovind with him to Broach, you will be written to in detail from thence; and you should do the business quickly, because it is the Sirkar's business, and we should not be taken that we are not made liars. As requested by you, Terwaree and Hurgovind are sent, and care should be taken that we are not made liars. Further, regarding the yad of 3 paras., you used to write daily about it, but I have written to you regarding the two paras. The 3d para., which relates to the Russallah, I have mentioned the year Sumvut 1896 (A.D. 1839-40). On the 30th I went personally to Bhawoo Sahib, and mentioned to him about this "dakula," who said that he had given a copy of it transcribed by Anna Kibbey. I then said that the two "dakulas" which were furnished I had sent to Bombay; that of the Russallah remains to be sent. On this Bhawoo Sahib got Anna Kibbey to copy it, which I sent to you yesterday. When I went to Bhawoo Sahib on the 30th, I told him that as the Maharaj is going to Bombay, is the business to go on there or not, for which he had sent Boorabhoye (Bhanabhoye) to that place? He replied, it should be carried on with zeal; therefore you should make puka arrangement of the business entrusted to you. You have asked to know the name of the gentleman who signed the treaty. This you had not before asked; therefore I did not ask Bhawoo Sahib about the name. As Bhawoo Sahib is going there (Bombay), you can ask him about the name if required.

(True translation.)

(signed) *M. Battye,*
Assistant Resident.

No. 8.

TRANSLATED Extract of a Letter from Nurbheram Koobair to Bhanaboy Bowaneedass, dated Poush Vud 2d, St. 1906 (A.D. 31 December 1849).

13. You have stated that you have sent a rough draft regarding the three paras.; that you have not retained a copy of it; I have therefore told Baba Daverow to give me a copy of it, and to include the year also; when I get it, I shall send it to you.

The above is in the handwriting of the gomashtha.

* Some great personage.
† Meaning Colonel Outram.

It is two days since Baba Daverow came and took a copy of the yad of three paras. which you sent me. Agreeably to what you had written, he will bring it in a day or two, when I will send it to you. You have written that you had an interview with the great* Shett, who has given you good hopes, and that, please God, the business will be done as intended; but that when the "dakla" will arrive, as stated in the yad, the business will be done; this is good. What God will do must be considered as true. If satisfaction be afforded to Shetjee by the arrangement which may be made regarding this business, then he will believe it; and my object of writing to you is this, that if by any possible means you can give cheering hopes of the business, it will be good. You write that he† has not yet arrived; this I have understood; but you said that when he lands he will put up with Captain Macdonald. But first you should make pukka arrangement with that gentleman, otherwise it cannot be done afterwards. You say Succaram Dada is going about regarding this business; this is good. You say that you have met the great Sahib. What conversation you had with him write to me privately. If you have to write it in detail, then send the letter with Motee's letter.

(True extracts.)

(signed) *M. Battye,*
Assistant Resident.

No. 9.

TRANSLATED Extract of a Letter from Nerbheram Koobair to Bhanabhoy Bowaneedass, dated Magh Sood 1st, of St. 1906 (A.D. 14 January 1850).

† Bhow Sahib.

6. IN the yad formerly sent by you, you asked for three daklas (proofs); two of these have already been sent to you, after which the remaining dakla about the Russalla was also sent, in which the year 1896 is given, but the dakla belongs to St. 1897 (1840-41), copy of which in the Mahratta language has been obtained from the Sirkar, and is herewith sent; after reading the same, do the business in a proper way, because [illegible] I asked him† whether he wishes the business to be done, when Rajeshree Bhow Sahib said, Yes, to do it willingly; therefore you should do the business with care.

TRANSLATION of the "Dakla" above referred to, in the Mahratta Language.

1. Taking into consideration the friendship which exists between the two Governments, this Sirkar, to please the Governor Bhadoor, agrees to pay an account of the expenses of the Russalla from the end of Poush of St. 1897 (January 1841), and that from Maghmas (February) of this year a sum within three lacs of rupees, which will be deducted on account of this Russalla out of the tribute due to this Sirkar, which is collected through the British Government."

(True extracts.)

(signed) *M. Battye,*
Assistant Resident.

No. 10.

TRANSLATED Extract of a Letter from Nerbheram Koobair to Bhana Bowaneedass, without Date.

* * * You will from the above learn the whole. You will also have learnt from what I have written to you before. If in what Dada Sahib was speaking about, we succeed, it will render our intercourse much easier in every matter. Baba Daverow observes to me, that I tell him every day that the "feast is ready, and one can eat as much as he likes," but nothing of it appears; how is this? Thus the Poora§ Walla keeps inquiring of me.

§ Bhow Tambeykur.

(True extract.)

(signed) *M. Battye,*
Assistant Resident.

No. 11.

TRANSLATED EXTRACT of a Letter from Nerbheram Koobair to Bhanabhoy Bowane dass, dated Poush Sood 11th, St. 1906 (A.D. 25 December 1849).

* * * From the above you will learn the whole. Baba Daverow came to me yesterday evening, and wished to know the name of the Sahib from whom I used to receive letters, and whether he is in Bombay; that the Sahib used to write takeeds to say, why do I not send a trusty person quickly to him, as he has got the business ready; that it is eight days since you arrived in Bombay, and though a letter has been received, no answer* has come. How is this? That Poorat Walla was asking him (Daverow) on the subject, and wanted to know what answer he was to give to him. I then replied that you must have seen the Sahib, and I expect an answer in a day or two, when I would tell him of it. As regards the expected arrival on the 5th,† Dada was telling, that after making a pukka bundobust with him, he would accompany him to Baroda. Let Succaram have a perusal of this.

(True extract.)

(signed) *M. Battye*,
Assistant Resident.

No. 12.

TRANSLATED EXTRACT of a Letter from Nerbheram Koobair to Bhanabhoy Bowneed dated Magh Vud 9th (A. D. 5 February 1850).

2. As regards Pembooba Ramchunder, you should go and see him yourself, and inform me in detail the result of your meeting, though you may have a thousand things to do. You should do this first.

7. You wrote that you had made arrangement regarding the former case, but that it was necessary to give Mr. Malet 10,000 rupees beforehand; that Succaram Dada was of the same opinion. You then said, that after our business is done the money would be paid. On this Succaram said, that the Sahib logues had no trust in native people, and if you wished he would take you before to the Sahib; that Succaram Dada has written to me in another letter, saying that there is no fear of paying the amount. If the business did not succeed the money would be paid back; that if he (the Sahib) did not give the money back, he (Succaram) would refund the money. All that you have written is good. It is true that without first paying the money the business would not be done. Even when we go to worship an idol, we make some little offering. This is a fact. But there is no fear about that. We have made an arrangement about this with our Karbarry,§ who had before clearly said, that even if we succeeded in a trifling matter, he would bring it to the notice of the Sirkar, after which he would ask for the money. Succaram Dada then said, "Very good;" and to give him a yad of the different business to be done, and that he would show how he would get our business settled; that at present he did not require the cash. It is now 1½ months since you went to Bombay, and not even a trifling business has been done. Bhow Sahib, the person with whom we have to do business, is at Surat. Be it known to you, that though the money is required, yet unless the business is done it cannot be paid. You think that by paying the money you make interest; but after paying the money, dissatisfaction takes place. If the money is to be paid at all, a receipt should be taken after the Sowcaree rule, and then the amount should be paid, regarding which there is no fear; because when our business is finished we can give back the receipt. If Bhow Sahib has arrived in Bombay, and if, after consulting him, the money is to be given, the same should be paid willingly, otherwise how could we take upon ourselves to pay it? Bombay is a place where there are lots of persons to wheedle you; but if at this time the money is once given, it will never come back, and the people will call us fools, and say, that without making a bundobust with the Sirkar, why should we give the money beforehand? I have a thousand times told you that money cannot be given beforehand. If the Sahib logues have no trust in us, a chittee may be given, in which it should be written, that when our business is done the money will be paid, according to agreement; but unless a bundobust is made, the money should not be paid.

§ The Bhow.

The above is written by a gomashtha. What follows is in Nerbheram's own hand:—

"You will learn the whole from the above. Further, Pandooba Ramchunder is with the Governor's lady, regarding whom you write daily, saying that after inquiry you will write to me. You should go and see him yourself, and write to me the result of your meeting. If the money is paid beforehand, and the business is not done, we shall be sufferers thereby; therefore, when the business is done the money should be paid. A chittee may be given, that when the business is done the money will be paid."

(True extracts.)

(signed) *M. Battye*,
Assistant Resident.

* Regarding the transaction.

† Meaning Bhow Sahib, who resides in Rowpoora.

‡ 5th January, the date on which Colonel Outram's arrival was expected.

No. 13.

TRANSLATED EXTRACT of a Letter from Nerbheram Krobair to Bhanabhoy Bowaneedass, dated Poush Vud 4th, St. 1906 (A. D. 2 January 1850).

10. Further, you have written to say, that you will get out the "Daklas," but that a few rupees will have to be spent on this business, and in doing which it will be known to the people. So this was told to him * by his great Shett (superior). Therefore you wish the "Daklas" to be sent from here. Very good. I shall send them from here.

(True extract.)

(signed) *M. Battye,*
Assistant Resident.

No. 14.

TRANSLATED EXTRACT of a Letter from Nerbheyram Koobair to Bhanabhoye Bowaneedass, dated Magh Sood 7th, Sumvut 1906 (A. D. 20 January 1850).

YOU have written that Gujjanund Abba and his carcoon Narronrow Luxmon have arrived in Bombay; as also Tatra Sahib, the person who met us in Baba Derrow's house. That you went to Bunder to receive them, when a conversation took place between you and Tatia Sahib, and this person told you that he was sent by Bhawoo Tambeykur with Gujjanund Abba. He then asked you what had been done about the business; you replied that the case is ready; when he said, that as Bhawoo Sahib is expected, he will do all as you tell him. This I have understood. Be it known to you, that when Bhawoo Sahib arrives, and you see him, then everything will be cleared, because a letter from Goomasta Hurgovind at Bwach has been received, dated Sood 4th, stating that he had a conversation with Bhawoo Sahib, from which it appears that he is pleased with us. Bhawoo Sahib told Hurgovind and Gunputram Turwarry that he had not written to Gopalrow Myral to do any business for him, but only desired him to send a steamer for him. That he (Bhawoo Sahib) had made a bundobust with the Governor, and that he has received a letter in the handwriting of the Governor; that the Government has prepared a house for the residence of the Sirkar (Guicwar); that whatever business he has to be done, he will tell Bhanabhoye to do it. In this way Bhawoo Sahib spoke to Hurgovind. Your two letters Hurgovind took to read to Bhawoo Sahib, who said there is no occasion, only tell him the purport: this Hurgovind did. He then said, this is not true; that he had made arrangements with the Governor himself, and to write to Shetjee (myself) not to fear anything; that on his arrival in Bombay he will tell Bhoorabhoye (Booria) to do all the business. Now that you have prepared a house for Bhow Sahib, you must get him to put up in it, and should do whatever he orders you. The acting Resident Sahib and Govindrow Roria are gone off in front from Bwach to Bombay. Further, Hurgovind and Tenvarree Gunputram had a talk with Anna Kibbey, and the former has written to you on the subject. Bhawoo Sahib said that, Shet Jamsetjee Jeejeebhoye Battuleewalla and Shunkurshetjee do not appear to be in the business. I had before written to you that there is a karbaree near the Governor, by name Pandoorung Ramchund Kulliankur, and I dare say you have seen him, as desired by me, and whatever conversation you had with him I shall know on receiving your letter. * * * That I sent your letter to Bhawoo Sahib to be read; that he has remained behind; but he has entrusted all the business to Anna Kibbey.

(True extracts.)

(signed) *M. Battye,*
Assistant Resident.

(A.)

PROCEEDINGS of Investigation of the Papers of Nerbheyram Koobier Shroff, of the Brigade Major's Office at Baroda.

21 November 1851.

THE Brigade Major having been requested to send Nerbheyram Koobier, and his nephew Goomashta Bhana (alias Booreea) to the Residency, they attend accordingly this forenoon.

The former was placed on his oath, and having been shown the papers Nos. 1, 2, 3, 4 and 5, being letters addressed by him from Baroda to his nephew Bhana in Bombay, acknowledges them to be in his handwriting, excepting such portions of each as are written by his gomashtas, and his examination is taken down respecting the meaning of certain passages in each.

Having been required to produce Bhoorea's letters from Bombay, to which his are replies, Nerbheyram, after much demur, sends to the city for his duftur, for Sumvut 1906 (A. D. 1849-50), but declines to produce those of 1907 (A. D. 1850-51).

Bhanabhayee's (alias Booreea) examination is taken on oath as to the meaning of various passages in his letters from Bombay, as quoted in Nerbheyram's replies thereto.

Purmanund,

Purmanund, Nerbheyram's son, having brought the papers from the city, his examination is taken on oath. He recognises the handwriting of No. 6; but gives no other evidence of importance.

The above parties are then dismissed, on their pledge to remain in their house in camp, and to return to-morrow for further examination, the papers brought from the city having previously been sealed up in their presence.

22 November 1851.

It being desirable to examine four persons connected with the Durbar (whose names are alluded to in Nerbheyram's paper) simultaneously with him and Booreeah, before the latter should be questioned further, the native agent wrote to the city kutwal early in the morning, to request they should be sent at 10 a.m., at the same time informing him that the Resident's yad would be sent when the office opened, this being the usual course heretofore pursued when witnesses are required from the city. No reply was received during the day. In the confidence that they would arrive in the course of the day, the examination of Nerbheyram and Booreeah was gone on with, in the course of which the papers numbered 7 to 11 were recorded, after being acknowledged by Nerbheyram, when the necessity became apparent of preventing any communication between Booreeah and the other witnesses until the latter should be examined; and it is obvious, from their non-appearance, that they are purposely kept back until it should be ascertained what had been elicited from Booreeah. For this reason it is indispensable that Booreeah should be detained at the Residency until those persons can be confronted with him. He is detained accordingly. Nerbheyram and Purmanund are allowed to depart, on the promise that they would return to-morrow, to be present at the examination of the papers.

23 November 1851.

The parties summoned yesterday through the Durbar were again written for. Shortly after despatching the yad, a reply was received from the Durbar to that of yesterday, and dated yesterday, stating that, as the purpose for which these persons were summoned had not been specified, information to that effect was required before they could be sent. An answer to this was sent to the Durbar at 12* a.m., but the parties did not make their appearance.

In the course of Booreeah's examination this day, the paper No. 12 is recorded, the handwriting having been acknowledged as that of Nerbheyram.

The above examinations are forwarded to Government with my letter of this date (23d November 1851).

A correspondence ensued with the Durbar, respecting the parties whom it was desired to confront with Booreeah, which terminated on the 30th November, when he was released, there being no longer any prospect of effecting that object.

In the interim Booreeah was again examined on the 25th, 28th, and 30th November (Appendix B). In the course of his latter examinations Booreeah was questioned concerning other letters found among Nerbheyram's papers, translated substance of which, with the original documents appended, is marked (C).^P The more important letters from Bhooreeah to Nerbheyram had been abstracted, as admitted by Booreeah, and are not now forthcoming, but the allusions in these papers to the "Bhow" clearly indicate that he was the instigator of the intrigue.

The purport of the missing letters can be gathered from the quotations therefrom in Nerbheyram's replies, the originals of which, together with translated extracts, are appended (D.); to which are added other letters from Nerbheyram, numbered 13 and 14, respecting which Booriah was questioned.

On the 30th November the whole of Booria's depositions were again read over to him by Mr. Battye, when he admitted them to be correctly recorded.

Baroda Residency,
30 November 1851.

(signed) J. Outram,
Resident.

(B.)

CONTINUATION of Bhana's Examination.†

25th November 1851.

Question. IN one of your letters to Nerbheyram, you stated that you went to the Bunder to receive Tatia Sahib, with whom you had a conversation; that he told you that he had been sent by Bhawoo Sahib, and asked you what business you had done; that you answered him, and said that the business was ready, &c. This was quoted by Nerbheyram in his letter to you, dated Magh Sood 7th (20th January 1851). No. 14 states who that Tatia was, what conversation you had with him, and what was the business "which was ready?"—*Answer.*

I went

* Vide Appendix (B.) No. 1, to separate Report, dated 2d December 1851.

† This witness's previous examinations, on the 21st, 22d and 23d November, were forwarded with my letters, dated 23d idem.

I went to receive Tatia, who asked me what I did about the Russallah; I replied it was ready. He then said that Bhawoo Sahib, &c. are coming, and that whatever I said would be done. Tatia is an inhabitant of Baroda, and is employed under the Guicowar, so I think.

In letter dated Magh Sood 7th (20th January), No. 14, it appears that the business was entrusted to Anna Kibbey; that a conversation passed between the latter and Hurgovind Goomashta and Gunputrow, of which you were informed by Hurgovind: state the nature of the conversation?—Hurgovind had written that the business was entrusted to Anna Kibbey, who had come to Bombay, and that I was to do business by consulting him.

When Anna Kibbey arrived in Bombay, what conversation passed between you both respecting the Russalla and other five cases: state the whole distinctly?—When Anna Kibbey arrived, I went to him, who asked me what arrangement I had made about the Russalla and other five cases. I replied that an arrangement was made through Succaram Dada to do the business, but he wanted beforehand 10,000 rupees to pay to Mr. Malet; that if this sum was paid an arrangement would be effected. On this Anna desired that Succaram should be brought to him. On this I took him to Anna Kibbey; the latter questioned Succaram on the subject, who replied that he had told me (Bhanabhye) that if the money be paid beforehand he would effect an arrangement with Mr. Malet; that Mr. Malet had no faith in the Goozerat people. When Anna replied, that he would give a reply the next day to me, and that I would tell him (Succaram) of it. After this Succaram went away. Anna Kibbey then observed to me, that he did not think from what Succaram said, that anything would be done, and desired me not to interfere in the matter. On this I told Succaram that I could not give the money beforehand.

In letter No. 8, addressed to you, it is written that you should meet Pandoo Ramchund, and in another letter it is stated, that all other business should be left aside to see him, &c.; state whether you saw him, and what important business there was that it was necessary to meet him; state every thing distinctly?—The witness here declines to answer the above question. He is then again questioned.

In letter dated Magh Sood 7th, No. 14 (20th January), Nurbheyram writes that Hurgovind Goomashta had a conversation with Bhawoo Sahib, which he (Hurgovind) had informed you of, you are required to state what that conversation was, which Hurgovind had reported to you in his letter?—Hurgovind wrote to me in his letter, dated Magh Sood 4th (17th January), that Bhawoo Sahib had told him that Gujjanud Abba and Narron Row had gone to Bombay, but that he would not transact any business through them, and had desired him therefore to write to me to say that he would wish me to do the business of Russalla and other cases. Bhawoo Sahib further said that if any money was required on account of those cases, the same would be paid by me, and that Bhawoo Sahib held us in great favour.

A previous question regarding Pandoo Ramchund, alluded to in letter No. 8, was put to you, and as you now wish to reply to it, state all that you wish to depose on the subject?—My uncle may have been told by Bhawoo Sahib that I should see Pandoo Ramchund, and as my uncle wrote to me to make an arrangement about the Russalla, &c. through that person, I made inquiries for the said person in Bombay, but he could not be found, so I made inquiries for him among the suite of the Governor, but he was not there also, consequently I had no meeting with this person.

In letter dated Poush Vud 4th, No. 13 (2d January 1850), Nurbheyram quotes your words as follows: "That you will get the Daklas, but you will have to spend a few rupees for the same, but in doing which it will be known to other people; so that persons superior told him: on this Nurbheyram promised to send them from here. State who is that Bhurra Shet, and who is the person, go-between?—The witness first declined to answer this question; but afterwards he did, as follows:—Succaram Dada told me that if money was paid to Bhawoo Russallawalla, he would furnish the "dhakalas." I told him to take me to that person; so he took me there. That man said to me, that according to what Succaram says, if I pay the money he would furnish the "dakalas," so I wrote to my uncle at Baroda to send the "dakalas."

Bhawoo Russallawalla, after taking the money, from where is he to bring the "dakulas," did you ask him this?—I asked Bhawoo from where he would bring the "dakulas;" he replied that he would bring them from his great shett.

When he spoke to you thus, did you ask him where his great shett was?—I did ask him on this point, but he asked me what business I had to know the name of his shet—that he should bring the "dakulas" from any shet he thinks proper.

(signed) *Bhonabhoye Bhowaneedass,*
himself.

CONTINUATION of Booria's Deposition, taken 28 November 1851.

THE letter received in Sunvut 1906, A.D. 1849-50, by the firm of Nurbheyram Koobier, from various places, were examined before you. A farist has been made of letters selected 31, numbered 1 to 11, on which you have endorsed your name (Bhana.) As these letters were taken out in your presence, state whether they are authentic or otherwise?—The letters numbered 1 to 11 were found in my presence among those brought from Nurbheyram's place,

place, and I endorsed my name on them; they were received from Broach and Bombay, and are genuine ones.

Of the 11 letters which were taken out in your presence, how many bears your name?—Nos. 2, 3 and 5 were signed by me. No. 3 is entirely in my handwriting. Nos. 2 and 5 are in the handwriting of Goomashta Sivelall.

In whose handwriting are the other eight letters?—No. 4 is signed by me, but written by Goomashta Dajee; No. 1, from Broach, is in the handwriting of Goomashta Pursotum; Nos. 7, 9 and 10 are written by Goomashta Dajee at Bombay; No. 8 is written by Sivelall; No. 6 is written by Dajee and Sivelall; No. 11 is written by Dajee.

Where are the Goomashtas Dajee, Sivelall and Pursotum now?—Dajee is in Bombay, Pursotum at Broach, and Sivelall at Baroda. They are the Goomashtas of my shop.

30 November 1851.

In your letter No. 3, addressed to Nurbheyram, on Magh Sood 13th, (26th January 1850,) you state that Bhawoo Sahib has returned to Baroda from Surat, and that you wish to know what you are to do, and you will call for a clear reply. State what answer you received?—Nurbheyram had written to me, saying that Bhawoo Sahib had sent Anna Kibbey, after making him acquainted with all the matters, and I was told to consult with him. On this I asked Anna Kibbey, who made a reply, which I mentioned as above.*

You wrote a letter, No. 5, dated Falgoon Vud 11th (9th March 1850), to Nurbheyram, in which you quoted his words, "that I would, after consulting Bhawoo Sahib about recalling you here, send a reply the next day;" and you said that when you receive the reply you will know the whole. You are required to state how, after Nurbheyram consulting Bhawoo Sahib, were you to return to Baroda?—I do not recollect the purport of the letter, but Bhawoo Sahib, on being consulted, directed my return; and as Nurbheyram wrote to me I returned to Baroda.

In letter No. 11, you had instructed Nurbheyram to get some diccanee to write a letter in your name to Bhawoo Sahib, on any subject that might appear proper to Nurbheyram; and that if business is done according to what is written, it will redound to your credit. That you would have come here for one night and returned, but for the Surkar's Sowaree which was expected in Bombay; you are required to state what was the object of the letter you had wished to be written to Bhawoo Sahib, and what was there of such importance that you wished to come here about for one night, and then to return?—My reply to this question is the same as that made by me to question 5 on the 25th November 1851.

Vide Answer to No. 5, on the 25th November 1851.

In Nos. 1, 6, 7, 8, 9 and 10 letters, allusion is made to Tatia Sahib Pandooba, Madam Sahib and certain gentlemen, through whom the business was to be done. State in what way was the business alluded to to be effected, if you know it?—Upon what grounds the Goomashtas wrote so from Bombay, or by whose advice and in what way Nurbheyram wrote from this, I don't know. If necessary, Dajee Goomashta, who is in Bombay, can be called and questioned on the subject, when the whole will be known.

Who is the Moonim Goomashta for transacting business in the shop of Nurbheyram?—I being his nephew, and considered as his son, used to go upon any business Nurbheyram might choose to entrust to me.

As you wrote from Bombay to obtain Bhawoo Sahib's permission for your return to Baroda, did you go to Bombay with his permission?—Yes.

When you went to Bombay where was Govind-row Roria?—In Baroda.

Did you consult Govind-row regarding the business you carried on in Bombay about the Russalla, &c.?—I never consulted upon any of these cases with Govind-row, nor did he tell me anything.

You have deposed above, that you had been to Govind-row when subsequently in Bombay and after making salam, you returned. Did you then tell Govind-row anything about the Russalla and cases which were carried on by correspondence?—In Bombay I used to visit Govind-row, but I never mentioned anything about the Russalla, &c. cases to him, nor did he ask me.

Are you acquainted with Vurjbhukun Suthaseewalla?—Yes.

Did you leave any letters and papers with Vurjbookun?—I did not keep any; but I may have left a letter or two there by mistake.

If you had left the letters there, would not your friend have returned them to you?—If I left them with him by mistake, and he were to detain them with fraudulent intention, how can I say he would return them?

You had written many letters from Bombay to your uncle Nurbheyram regarding the above matters, and on your return to Baroda you took them away from your aunt; so far your arrangement was careful that the letters should not go into any one's hands; but now you state that they are gone from you. From this the Sirkar's suspicion is confirmed that no one has taken away the letters from you, but that you had given them to some person, or may have kept them in some place; and as you will not clear the point it is evident that you had hid these letters in some place; therefore state correctly, and produce

* *Vide 3d Answer, in his examination on the 25th November.*

produce those letters?—I have not those letters by me, nor do I know from whence they were taken away.

Did Bhawoo Sahib enter into any written agreement with you or your uncle Nurbheyram regarding these cases, and if so, state who has got the document?—No written agreement was made with me, but if any was made with Nurbheyram Shet, after I had left Baroda, he must know it.

(signed) *Bhanabhoye Bhowaneedass,*
himself.

TRANSLATION of the Deposition on Oath of Purmanund Nurbheyram; religion, Hindoo; caste, Busolar Bunian; profession, Shroff; aged about 30 years; inhabitant of Baroda; made before the Resident on the 21st November 1851 (omitted to be sent with the letter dated 23 November).

Question. LETTER No. 6 is here shown to you, state in whose handwriting it is?—*Answer.* It is not mine, but it appears to be that of my Goomasta Shivelall.

Where is Shivelall Goomasta?—He is in the shop.

Why was Bhanabhoye Bhowaneedass sent to Bombay, and on what business?—To look after our shop which is there.

After Bhana was sent to Bombay, did Bhawoo Sahib inquire after him?—Yes; that I received his letter and he is well.

After Bhana went to Bombay, used you to go always to Bhawoo Sahib?—Yes, every second or third day.

When letters from Bhana were received, used you to go to Bhawoo Sahib to read or communicate their contents to him?—I used not to go to read the letters to him, but to tell him orally; sometimes when he asked me what news, I used to tell him of it.

Has your father any money transaction in the Russallah?—He has dealing in Bhooj, Kurrachee Hyderabad, Sukkur, and in the Luskur.

Has your father any dealings in the Russalla at Ahmedabad?—He may have, but I do not exactly know it.

What sum is due to your father in Baroda?—I don't know the correct amount.

(signed) *Purmanund Nurbheyram,*
himself.

(True translation.)

(signed) M. Battye,
Assistant Resident.

TRANSLATED Substance or Extracts from Letters found among Nurbheyram Koobair's Papers, examined in his presence, and acknowledged by Bhanabhaee (*alias* Booreea.)

No. 1. 1. LETTER dated Poush Sood 12th (1906, A.D. 1850, 26th December 1849,) written by Nerbheyram at Broach, to Premanund at Baroda, in the 1st para. it is stated that what was written about Bhow Sahib is good, that he will do as he is bid.

No. 2. 2. Letter dated Magh Sood 8th (23d January 1850), from Bhanabhee (Booria) at Bombay, to Hurgovind and Gunputram at Broach; states that "there was no occasion for you to take my letter to Broach, and the detailed answer you wrote, about having shown the letter to Bhow Sahib, I have understood. I was aware that Hurgovind would read the letters to Bhow Sahib which he took with him to Broach, because there were certain matters in it which should not have been communicated to him, and for which he would give us a check; but Bhow Sahib said never mind about it, as letters have been received, by which I felt glad. You had gone again to give the news of another letter, but Bhow Sahib did not meet you, but after seeing him, you will inform me of the result of the same; when I receive the expected letter I shall know the whole. Governor Sahib is favourably disposed towards the 'Sirkar,' and after loading him with great abroo (distinction) he will take leave and go."

No. 3. 3. Letter dated Magh Sood 13th (26th January), from Bhanabhoy Bhowaneedass at Bombay, to Nerbheyram at Baroda, states that "as Bhow Sahib is with me (in Bombay) I should first inquire of him whatever business is to be done, and then do it; but it should be done by pukka bundobust. This I have understood; but Bhow Sahib has returned to Baroda from Surat. What is to be done? An explicit answer should be sent, and you will have understood from the letter sent to you yesterday."

No. 4. 4. Letter dated Falgoon Sood 10th, (30th February 1850,) from Chotalal in Bombay, to Nerbheyram at Baroda. At the close of it Bhanabhaee has written, "I have written according to what Succaram had told me, but whatever you may think proper, you can inform the poorawalla* of the same, otherwise keep them in your mind."

* Bhow Sahib.

5. Letter dated Falgoon Vud 11th, (22d February), from Bhanabhaee Bhowaneedass to Nerbheyram at Baroda, states that "you had before written that you would go to Bhow Sahib to get me recalled, that you would write to me the following day; this I suppose you have done, &c."

No. 5.

6. Letter dated Bhadurwa Sood 4th (9th September), from Chotalal Nurbheyram to Paruck Premanund Nurbheyram (brother).—In the 6th para. it is written, "I have received the letters dated Vud 8th and Vud 9th regarding Tatia Sahib, and understood their contents. You also wrote when I received your letter, dated Vud 11th. I shall know the whole. That Pandooba's letter has been received from Narra, 20 coss, from Poona. He writes that he should come there after Sood 15th, as Madam Sahib has sent for him, and to bring the letters received from the people. This letter has been read to me, and he intends to go after the 15th. So he was saying."

No. 6.

7. Letter dated Bhaderwa Sood 8th (13th September), from Chotalal Nurbheyram to Premanund Nurbheyram.—He writes below, "I took Tatia Sahib on one side privately, and told him all that was considered necessary; but he says that what Shettjee writes about taking the 65 rupees is good, but to get their detail. At present he has nothing; that he will give a chit for whatever may be done, but this man says he never took the cash; but when Shettjee will furnish the detail, the whole will be known."

No. 7.

8. Letter dated Bhadurwa Sood 10th (16th September), from Chotalal to Premanund, at Baroda.—In the 4th para. it is stated, "Formerly it has been written regarding Tatia Sahib, and again you write to say not to believe this person. Further, you desire me to obtain Pandooba's letter on the Shettjee, written by Madam Sahib; but in case that person will say that a separate letter cannot be written, then I should ask him for the letters which he received for the purpose of sending them to Baroda. This I have understood. I shall do so, &c."

No. 8.

9. Letter dated Bhadurwa Sood 11th (17th September), from Chotalal Nurbheyram to Premanund Nerbheyram.—In the 9th para. of which he writes, "I have understood all that Tatia Sahib has written; but, Shettjee, what shall happen will be true. I shall tell him about the payment of the money, as you desired me; and if he will give me a chittee, I shall take it, &c."

No. 9.

10. Letter dated Assoo Sood 4th (9th October), from Chotalal to Premanund, at Baroda.—In the 8th para. of which he writes, regarding Tatia, "You write that the Governor will be here in Assoo Mass (October), and that I should tell him to introduce me to Pandooba, that until the Governor comes he should be fed, &c. This I have understood; but Shettjee, the Governor, will not come in Assoo Mas. The Karbharees here are gone to Poona for a change, as the heat has been very great. If the Governor comes, and takes the matter into consideration, it will be done. This person's son, Pandooba, has sent a letter to some gentleman enclosed in his, in which he desires him to go to the Sahib, and whatever he shall say he should do. So this person went to the Sahib yesterday, who told him to show the document, when he replied, that when he and his son meet together, he will then show it. The Sahib then said that he should go to his son, so this person told me all that he spoke to the Sahib. After the Dussarah he will go, when I will write to you."

No. 10.

11. Letter, without date, from Bhanabhaee to Nurbheyram.—"You will learn the whole from the enclosed letter. If Shettjee will approve he can get some Deccanee to write a letter in my name on any subject he thinks proper, and give it to Bhow Tambeykur; but if matters are done as they are written, it will redound to my credit. I would come for one night (to Baroda), and go back, but for the Sowaree of the Sirkar which is expected here, &c."

No. 11.

(True extracts.)

(signed) *M. Battye*,
Assistant Resident.

—No. 47.—

MINUTE by the Right Honourable the Governor.

THESE papers must, I presume, be recorded for the present. There are obscure indications here and there of corrupt practices attempted to be carried on or established between Baroda and Bombay, but nothing, so far as I can trace, that is tangible or susceptible of being followed out to any result. Hereafter, perhaps, some means may be discovered of throwing light on the intrigues here darkly indicated, but as the matter stands at present, so far from agreeing with the Resident that anything is clearly established, the whole is to my mind nothing but an enigma.

I have carefully inquired into the subject of the postscript of this letter, and cannot discover that any person of the name of Pandooba Ramchunder, or, as he is elsewhere described, Pandoorung Ramchund Kuleeankur, a karbaree near the

Governor, either is now connected, or has at any time been connected with or amongst the people belonging to my establishment, either private or public.

The name may be fictitious, but I can most confidently affirm that no native about my person in the capacity of chobdar, servant, or attendant of any class, has access to any public documents passing through my hands. That some individual employed near me, or about me, may have pretended to such access is possible, but I think most improbable. Be this as it may, I can find no clue in these papers to direct my suspicions towards any person of any class.

(signed) *Falkland.*

15 January 1851.

— No. 48. —

MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell* and the Right Honourable the Governor.

I QUITE concur in thinking that there is nothing tangible in these papers.

(signed) *D. A. Blane.*
A. Bell.
Falkland.

16 January 1851.

— No. 49. —

No. 5 of 1851.—Secret Department.

From Lieutenant-colonel *J. Outram*, C.B., Resident, Baroda, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to transmit another set of Government minutes which have fallen into my hands, being Mahratta translation of a portion of the discussions of Sir G. Clerk's Council, on the subject of Govindrao Gaekwar's claim against the Durbar for the property of his adoptive mother, Rahdabhaee.

Appendix, No. 1.

2. These papers (numbered 1) are I believe in the handwriting of Wamudrao Sattceah, copied by him for the minister, Bhow Tambeykur, from a transcript of the minutes obtained from his brother, Dhajee Dhondeo Sattceah in Bombay, at the time of the discussion to which they relate.

Appendix, No. 2
(A.)

3. They were delivered to me by a person named Umrutao Bulwant, formerly confidentially employed by the Bhow, who having quarrelled with his employer, appears, Mahratta like, to have retained this among other documents which had been entrusted to him, for the purpose of injuring his former master when opportunity should offer. Whatever the man's motive, Umrutao appears to have possessed the means as well as the will to effect his purpose. He it was who gave (through Succaram Suddasew) the "Mahratta note" to Venaik Moreshwar, referred to in your secret despatch, No. 405, dated 15th instant (hereafter to be replied to). On this circumstance becoming known to the minister, Umrutao sought refuge from his vengeance in camp; and on the Durbar requiring me to take security from the man, I summoned him to the residency for that purpose, on which occasion he gave information on oath (Appendix, No. 2 A.) which confirmed what I had elsewhere obtained as to the channel through which the secret deliberations of Government were betrayed to the minister. He then declared that he possessed, and would furnish proofs of the fact; but I heard nothing further on the subject until the day before yesterday, when he presented these "minutes," the delay having been caused, I understand (though he does not say so in his deposition taken yesterday), by the difficulty of obtaining access to his secret dufters in the city, where he dared not to make his appearance.

4. I yesterday questioned Wamunrao Sattch respecting these minutes, who of course denies having written, or having any knowledge of them. But four other papers

papers of his writing, which he knew could at once be proved to be his, he admits to be in his handwriting. These papers, marked (A.), (B.), (C.), and (D.), are forwarded with the minutes in the packet numbered 1, for the purpose of having the writing compared in your office. No one to whom I have here shown the minutes has the slightest doubt that they are written by Wamunrow Sattah.

5. Umrutrow, on being confronted with Wamunrow, unhesitatingly maintained the truth of his former assertion that the latter receives, and has received for years past, a monthly salary from the minister for this secret service, and declares that similar "minutes" were constantly furnished to the minister by Wamunrow Sattah.

6. Translations of the statement of Wamunrow Sattah, and deposition on oath of Umrutrow, before me yesterday, are herewith forwarded, marked (B.) and (C.) Appendix, No. 2, (B.) and (C.)

7. The case of Govindrow Gaekwar, to which these minutes relate, affords a strong illustration of the embarrassments, and injury to our interests, caused by the systematic betrayal of the secret deliberations of Government to the Baroda Durbar, especially where, as in this case, the Governor was opposed in opinion to both his civil colleagues. The knowledge of this fact it was which encouraged the Durbar so pertinaciously to oppose the decision of Government, and of the Court of Directors, for a period of three years, subsequent to my communicating to his Highness the sentiments of Government expressed in your despatch, No. 2,335, dated 25th June 1847, which I presume to have been framed on the discussions, of which these minutes are a portion only of what the minister obtained. Had not the Durbar become thus informed of the diversity of opinion in the Government, and especially that Sir G. Clerk upheld the Gaekwar's interests in the question, the Resident would have had little difficulty in obtaining his Highness's acquiescence to a matter of no great importance, which, as it was, caused much bad feeling, and a lengthened correspondence (noted below), more than would fill a printed folio volume, ere the dispute was brought to a conclusion.

I have, &c.

(signed) J. Outram,
Resident.

Baroda Residency, 21 November 1851.

CORRESPONDENCE Regarding Govindrao Gaekwar.

1847.

From	Government	-	-	-	No. 2,335, dated 25th June
To	Ditto	-	-	-	No. 196 „ 24th July.
From	Ditto	-	-	-	No. 3,912 „ 15th October.
To	Ditto	-	-	-	No. 275 „ 25th October.
To	Ditto	-	-	-	No. 292 „ 4th November.
From	Ditto	-	-	-	No. 4,734 „ 9th December.
From	Ditto	-	-	-	No. 4,901 „ 20th December.

1848.

From	Ditto	-	-	-	No. 2,251 dated 27th May.
To	Ditto	-	-	-	No. 161 „ 7th July.
To	Ditto	-	-	-	No. 201 „ 15th August.
To	Ditto	-	-	-	No. 313 „ 28th December.
To	Ditto	-	-	-	No. 314 „ 29th December.

1849.

From	Ditto	-	-	-	No. 619 dated 12th February.
To	Ditto	-	-	-	No. 54 „ 22d February.
From	Ditto	-	-	-	No. 1,577 „ 17th April.
To	Ditto	-	-	-	No. 98 „ 23d April.
From	Ditto	-	-	-	No. 2,103 „ 17th May.
From	Ditto	-	-	-	No. 2,676 „ 20th June.
To	Ditto	-	-	-	No. 175 „ 26th July.
From	Ditto	-	-	-	No. 3,099 „ 21st July.
To	Ditto	-	-	-	No. 276 „ 19th October.
To	Ditto	-	-	-	No. 287 „ 5th November.

1850.

From Government -	-	-	-	No. 96	dated 9th January.
From ditto -	-	-	-	No. 370	„ 18th January.
To ditto -	-	-	-	No. 108	„ 24th May.
From ditto -	-	-	-	No. 2,435	„ 24th May.
To ditto -	-	-	-	No. 119	„ 10th June.
From ditto -	-	-	-	No. 2,879	„ 14th June.
From ditto -	-	-	-	No. 3,118	„ 2d July.
To ditto -	-	-	-	No. 163	„ 16th July.

(signed) *J. Outram,*
Resident.

Appendix No. 1.

TRANSLATION of the MINUTES in the Case of Govindrao Gaekwar.

THE papers relating to the case of Govindrao Gaekwar are before me, and taking the same into consideration, I am of opinion that the Gaekwar Government is "Mooktyar;" and, therefore, adhering to my former resolution, the Resident should be instructed to desire the family of Govindrao Gaekwar to return to Ahmedabad. That, exclusive of the nemnook granted to Govindrao under our guarantee, the Gaekwar should have control over the private property of Radhabye.

(signed) *G. R. Clerk.*
L. R. Reid.

HAVING resided for a long time in Baroda, I am quite familiar with the case of Govindrao Gaekwar, and, therefore, feel certain that the opinion I shall here record in that case will have some weight with the Board.

When Futteysing Rao died, Captain Carnac was then Resident, and through the advice of that gentleman, Radhabhye adopted the Govindrao, as appears from the document signed by Captain Carnac. I have not, therefore, the least doubt as to Govindrao having been adopted by Radhabhye. Some time after the adoption was made, Govindrao made pretensions for the Raj, but the late Mr. Williams settled the matter by negating his claim, and this was confirmed by the Right honourable the Earl of Clare's Government; and it does not appear from former correspondence that the adoption of Govindrao was not made as stated by the Gaekwar. That the two Governments did sanction the adoption of Govindrow at that time, I have not the slightest doubt. At present he receives a nemnook, guaranteed by Government, which is the strongest proof of Radhabhye's having made the adoption. Should the Board decide that the adoption was legal, then Govindrao has a perfect right to the property of Radhabye. If my colleagues be of the same opinion, the Resident should be written to to this effect; but should the President's opinion be otherwise, then, as requested by petitioner, the case should be submitted for the consideration of the Honourable the Court of Directors, so that the responsibility may not devolve on us.

(signed) *J. P. Willoughby.*

I do not concur in the opinion expressed by Mr. Willoughby in this case, but I think that copies of the correspondence should be submitted to the Honourable the Court of Directors, together with translations of the yads received from the Gaekwar, for their decision.

(signed) *G. R. Clerk.*
Reid.
Willoughby.

(True translation.)

(signed) *M. Battye,*
Assistant Resident.

Appendix No. 2.

(A.)

TRANSLATION of the Deposition, on oath, of Umrut Rao Bulwunt; Caste, Desusts Brahmin; Profession, Carcoon; aged 36 years; Inhabitant of Deccan, but now in Baroda Camp; before the Resident, on the 5th of October 1851.

THAT this day Bhow Tambekur has written to take security from me, which the Sahib took. My representation is as follows:—

That Bhow Tambekur has sent Abba Kaley to Bombay to obtain information from the Council, and to keep the gentlemen and other Sirkaree Kamdars in his favour, and gave him 3,000 rupees for expenses; of this 400 rupees remained, which I paid afterwards to
Balcrustna

Balcrustna Punt, on the part of Abba; 171 rupees per month was allowed to Wamun Rao Sattah to obtain information from the Kamdar of the Secretariat as to what took place every day. For one or two months this money was paid to Dewakur Bappoo; after this the Sattah regularly received it. I used to bring to Tambeykur's house 671 rupees per month; of this sum 171 rupees was given to Wamun Row, and the balance remained with Tambeykur.

From Sumvut 1904-05 (A.D. 1848-49), payment was made to Wamunrow Sattah. The Sahib should, therefore, institute minute inquiries into the matter.

(B.)

TRANSLATION of the Deposition of Wamun Rao Dhondeo Sattah; Religion, Hindoo; Caste, Deccanee Brahmin; Profession, Service; aged about 40 years; Inhabitant of Baroda; made before the Resident, at Baroda, on the 20th November 1851.

Question. State whether the document here showed to you is in your handwriting?—*The translated Answer.* The handwriting of this document appears like mine, but it is not written by me; my way of writing is different, and unless I read the whole document, I cannot speak with certainty. Minute, numbered 1.

You have now read the whole document; state in whose handwriting it is?—Having looked over the whole of the document, I have to state it is not in my handwriting, and appears to have been forged by some enemy of mine; I know nothing of the matter.

Document (A.) is here shown to you; state whether it is in your handwriting or not?—It is in my handwriting.

Document (B.) is here shown to you; state in whose handwriting it is?—It is mine.

Of what place are you an inhabitant?—I am an inhabitant of Nassick, and my father lives there.

Since when did you come here?—In Magh of Sumvut 1901, (A.D. February 1845), but I have been two or three times to the Deccan.

When did you go to Bombay?—I went three times to Bombay; first in the month of Falgoon (March) or Chytru (April) of Sumvut 1902 (1846). I was in Bombay for one month on my return from Poonah. The second time I went was in Sumvut 1905 (A. D. 1849), when Captain French was here; I remained only two days there on my way to Poonah, and back again. The third time I went to Bombay was with the Maharaj Sowaree; I remained there 15 days after the departure of the Maharaj from that place.

In whose service are you employed?—For about 30 years I have been in the service of Bheemashunker Gungadhur Shastree, and for 2½ years past I have held a silledar's assamee under the Gaekwar.

What do you get as an assamee from the Gaekwar?—The assamee is for 600 rupees per annum, but I get only 500 Baroda rupees.

What work do you perform for the Maharaj?—I superintend the Maharaj's carkoon, who takes the census in the city; when the carkoon goes out on this business, I keep a memorandum of it.

The taking of the census has only just commenced, but when the assamee was given to you, what work had you to perform?—Since the assamee was given, I have done no work, but enjoyed the allowance.

You state above that you receive 500 rupees per annum without doing any work, but besides this you receive 171 rupees per month from the Durbar; state for what purpose you receive this sum?—Beyond the 500 rupees which I receive from the Durbar, I have never received from that Sirkar at any time 171 rupees per month.

Document (C.) is here shown to you; state whether it is in your handwriting?—It appears like my handwriting.

Document (D.) is here shown to you; state whether it is in your handwriting?—So far as I can tell from the four lines which only are shown to me, I have to state that it appears like my writing.

Documents (C.) and (D.) are wholly shown to you; state now whether they are in your handwriting?—After reading these two papers, I have to state they are in my handwriting.

At present whose service do you perform?—I perform that of Venaik Shastree, and when I go to Bombay I do whatever business he orders me; the silledaree was given to me in consequence of my having done some work for the Gaekwar's benefit.

Is it customary with you to go daily to Bhow Sahib or to Maharaj?—I go to the Maharaj once a month, or 15 days, to make my salem, but to the Gaekwar Karbarry I sometimes go daily; such is my custom, and in this way I go to the Karbarry.

You have stated above, that because you effected some benefit for the Guicowar, you got a silledar's assamee. Did the Maharaj of his own accord give it to you, or did Bhow Sahib give it you?—In consequence of my having shown benefit to the Sirkar, both Gunesh Punt and Bhow Sahib recommended me to the Maharaj, and got me an assamee, and Govind Row too knows this.

(signed) Wamunrow Dhondeo Sattay, by himself.

(C.)

TRANSLATION of the Deposition, on oath, of Umrut Row Bulwunt; Religion, Hindoo; Caste, Deccanee Brahmin; Profession, Service; aged about 36 years; residing at present in Camp, Baroda; before the Resident, at Baroda, on the 20th November 1851.

^a The translated Minutes, numbered 1.

Question. You have produced a document in two bunds; state where you got them?—*Answer.* Wamun Row gave this document to Bhow Tambeykur, who intrusted it to me, and I have produced it.

When you gave your deposition at the Residency, on the 5th October 1851, why did you not then produce this document?—I did not produce this document at the time I made my deposition, but I informed the Sirkar that I possessed documents which, when required, and called for by the Sirkar, I would produce. As the Sirkar has now called for it, I have produced it.

In whose handwriting is this document?—It is in that of Wamun Row Sattey.

From what did Wamun Row write this document?—I do not know, but the paper of the Bombay information is in the handwriting of Wamun Row, therefore he must know all about it; I do not know.

You stated in your former deposition that Wamun Row was paid, through you, 171 rupees per month; used you to give that money with your hand, or how?—I used to pay with my own hand 171 rupees per month to Wamun Row. From 1904 (A.D. 1847-48) it was commenced, and so long as I was with Bhow Sahib I paid the money with my own hand, but now another carkoon of Bhow Sahib must pay him, for the salary is still continued to him.

In whose presence used you to give this money?—I used to give it with my own hand, either to Wamun Row or Bappo Dewakur, by order of Bhow Sahib.

What proofs have you got to having paid this sum?—The person from whom I used to bring 671 rupess has got the proof; a "debit" and "credit" of this sum is made in Bhow Sahib's private dufter, on a reference to which the whole will be known.

To Wamun Row Satteah. Have you anything to ask this witness?—No.

(signed) *Umrutrow Bulwunt*, by himself.

(Continued on the 21st November 1851.)

Question. Did the Bhow Sahib ever receive any other papers similar to these which you produced yesterday from Wamun Row?—*Answer.* Wamun Row used constantly to give the Bhow Sahib papers from Bombay, such as are above alluded to, and the Bhow used to give them to Anna Keebey to keep; but the papers which I produced yesterday were not given to Anna Keebey, because he was not present when Wamun Row brought them; the Bhow was bathing at the time and made them over to me; they remained in my possession, and I have now produced them.

Have you got any more such papers; if so, say where they are, and produce them?—I have several papers of sorts at my house in the city and in other places, which, if you will give me a peon, I will go and bring, but without a puttawalla I am afraid they would be taken from me.

(signed) *Umrut Row Bulwunt*.

(True translations.)

(signed) *M. Battye*,
Assistant Resident.

— No. 50. —

MEMORANDUM by the Chief Secretary.

THE Chief Secretary begs to inform the Honourable Board that he has carefully gone through all the minutes relative to the succession of Govindrow Gaekwar to the private property of Radhabhye, the widow of Futtch Sing Gaekwar, and his own adoptive mother.

Sir George R. Clerk's view was that Govindrow Gaekwar ought to succeed to the private property, but that Government had no right to interfere, and that it was the Resident's duty to endeavour to induce his Highness to take a liberal view of the case.

In this view, neither Mr. Reid nor Mr. Willoughby concurred, both of them deeming that Govindrow had a right to the property, and that this Government were bound to protect that right.

Sir W. Cotton having agreed with the Governor, his Honor's view was adopted, and the Resident informed.

On Colonel Outram, the Resident, reporting, as the result of the measure that his Highness refused to be guided by the advice he had tendered, Sir George Clerk

Clerk adhered to his former opinion, and Sir W. Cotton having left the Presidency, the Governor was in the minority. It was on this occasion that Mr. Willoughby proposed the reference to the Honourable Court of Directors.

It will thus be seen that although the intercepted minutes give the gist of Sir G. Clerk's, yet that no minute of his at all corresponds to what purports to be a copy of his minute, and that in no instance did Mr. Reid agree in the views attributed to Sir G. Clerk.

The minute purporting to be a copy of Mr. Willoughby's, is equally a fabrication, though some of the opinions contained in it were expressed by that gentleman.

It is evident that the person who fabricated the documents was aware of the opinions of Sir G. Clerk and Mr. Willoughby, but not of that recorded by Mr. Reid.

(signed) *A. Malet,*
Chief Secretary.

29 November 1851.

— No. 51. —

MINUTE by the Right honourable the Governor.

FROM this letter it would appear that one Umrutrow Bulwunt, formerly in the confidential employ of Bhow Tambeykur, minister of his Highness the Guicowar, has delivered to Lieutenant-colonel Outram certain papers, purporting to have been copied from transcripts of the minutes of Sir George Clerk and the members of the Government of Bombay of that day.

2. These papers are believed by the Resident to be in the handwriting of Wamunrow Satteah, and to have been copied by him from others obtained from his brother, Dhajee Dondeo Satteah, of Bombay.

3. Wamunrow denies that the above documents are in his handwriting, but on being compared with others which he admits to be so, the similarity between the two is so great, that Lieutenant-colonel Outram conceives it impossible to doubt that such is the fact. Lieutenant-colonel Outram also informs us that Umrutrow Bulwunt further affirms that Wamunrow Satteah has for years past received, and does now receive, a monthly salary from "the minister for this secret service, and declares that similar minutes were constantly furnished to the minister by Wamunrow Satteah."

4. Colonel Outram does not intimate what steps he expects to be taken consequent on the discovery of these papers; his main object in forwarding which would seem to have been to afford a proof of the existence at Baroda of a successful system of intrigue, by means of which information of the proceedings and intentions of Government has long been surreptitiously obtained, and he strongly insists on the injury the interests of Government have sustained, and do now sustain therefrom.

5. These minutes, though by no means corresponding in terms with those recorded by Sir George Clerk and the members of his Government, contain, in fact, the gist of their consultations; and it is but too evident that the information they afford must have been acquired through the treachery of one or more persons in the Chief Secretary's office, with the state of which I have been for some time far from satisfied.

6. Of the existence at Baroda of a well-organized, and at times a too successful system of intrigue, by means of which information as to the designs of Government has been procured from the Political Department, we have unfortunately already sufficient evidence; but I must be permitted to doubt whether the injury sustained by the interests of Government in consequence has been, in the case to which the papers before us refer, or indeed in any case, so serious as Lieutenant-colonel Outram deems it to have been. Some difficulty and delay doubtless took place before the dispute between his Highness and Govindrow Guicowar was settled to the satisfaction of the Honourable Court, but it is by no means so clear to me as it appears to be to Lieutenant-colonel Outram, that such difficulty and delay originated in the knowledge acquired by the Guicowar or his minister of the

opinions of the members of this Government, as the personal feelings of his Highness Gunputrow were too deeply interested in the issue of the contest between himself and his relations to admit of his yielding either willingly or readily to an award so offensive to them as that which the decision of Government involved.

7. It is very evident, I think, that we have no grounds whatever for taking any steps against Bhow Tambeykur on the present occasion; for all that appears, notwithstanding the declaration of Umrutrow Bulwunt, the minister of the Guicowar may have obtained these papers in a manner as little open to censure as the mode in which Colonel Outram has obtained them; and even if it be not so, it will at all times I imagine be extremely difficult for us to attempt to define the exact point at which the conduct of a minister acting (ostensibly at all events) in the interest of his sovereign, with whom we are intimately connected, becomes criminal towards us, by endeavouring by indirect means to make himself acquainted with our wishes and intentions.

8. Wamunrow Satteah is no subject of ours, is not amenable to our laws, nor do I conceive that he has, acting as he did at the instigation of the prime minister of his legitimate sovereign, and as he may reasonably have supposed for that sovereign's benefit, committed in this instance any offence against the British power for which we have a right to demand that he shall be punished.

9. Dhajee Dhondeo Satteah is a resident in Bombay, and amenable to our laws if he break them, but before he be visited with any penalty it must be clearly ascertained that he has rendered himself liable to their operation, which I apprehend he would not be, even were he proved to have become possessed, through the dishonesty of others, of information only to be obtained from the Government records.

10. The culprits whom in this, as in a late case of a similar kind, it is for us to detect and punish, are those persons in the Chief Secretary's office who have divulged facts, a knowledge of which they have gained in the discharge of their daily duties; and I rely on Mr. Malet to make such modifications in his establishment, and to exercise strict vigilance, as will, even if it do not lead to the discovery of the offenders in the present instance, at least prevent the recurrence of such conduct on the part of any of his subordinates hereafter.

(signed) *Falkland.*

7 December 1851.

— No. 52. —

MINUTE by the Honourable Mr. *Blane*.

I CONCUR generally in the Right honourable President's remarks.

2. The employment of newswriters is an ordinary practice with all native Durbars, and not unusual with the British Government. To instruct them to obtain information through the corrupting of persons in office would not be justifiable, but it must always be a matter of difficulty to determine, in cases when a recourse to such improper means may be detected, whether the blame be attributable to the over-zeal of the newswriter, or to the express instigation of his employer. Our remedy is obviously the observance of greater precautions in our own offices.

(signed) *D. A. Blane.*

7 December 1851.

— No. 53. —

MINUTE by the Honourable Mr. *Bell*.

I CONCUR.

8 December 1851.

(signed) *A. Bell.*

— No. 54. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Board.

THESE papers may now be recorded.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

10 December 1851.

— No. 55. —

No. 221 B. of 1851.—Political Department.

From Lieutenant-colonel *J. Outram*, c.B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

IN forwarding the accompanying Khurreeta, addressed by his Highness the Gaekwar to the Right honourable the Governor in Council, dated 30th ultimo, but received yesterday, I have the honour to recapitulate the proximate circumstances out of which it has arisen, to submit a correct version of, and comments upon its subject-matter, and to indicate the motives of its instigation.

2. On the 23d ultimo it was my painful duty to hand up evidence convicting Bhow Tambeykur, his Highness's chief minister, of having deputed an agent to Bombay, in December 1849, for the purpose of bribing the Chief Secretary and myself, and I intimated that the proceedings thereby disclosed formed one of two branches of an intrigue, of which the other branch still remained to be traced.

3. Considering, as I did, the information then furnished to be sufficiently circumstantial to enable Government to act effectually, and sufficiently direct, to afford a reasonable hope of bringing home the charge to the accused parties, I suggested the adoption of such measures in Bombay as would, I believed, in conjunction with those I requested permission to pursue at Baroda, lay bare the whole transaction.

4. On the 27th ultimo, I received your letter, No. 417, dated 23d idem, intimating that though I was "at liberty to pursue, in this instance, my investigations at Baroda, by every legal means in my power," it did not appear to the Right honourable the Governor in Council that the case was one in which it would be advisable to follow the course I had recommended, of holding out a promise of the protection and countenance of Government to the person who, I believe, possesses the power to prove facts which would lay bare both branches of the intrigue, and who had offered to make full disclosures on obtaining the pledge of Government that he should not be "unjustly treated."

5. I was thus compelled to confine my inquiry to the single and less important branch contained in Nurbheyram papers, which formed the subject of my letter of the 22d ultimo, and connected wherewith my further proceedings are detailed in a separate report of this date.

6. In prosecution of this inquiry I summoned witnesses in the mode usually adopted, and of late invariably followed; they were withheld by his Highness, on the plea of my non-statement of the specific object for which they were required, an obviously unnecessary objection, since the subject of my inquiry was well known; the yad conveying the objection was not delivered until 24 hours after the summons had been issued, thus affording the implicated parties an interval of time wherein to ascertain the extent of the disclosures already made, and the nature of the papers in my possession.

7. Having in reply stated in general terms the purport of my investigations, the witnesses were further withheld on the plea that Baba Fudkey had fabricated the charge, and should therefore be removed to a distance prior to the attendance of the persons summoned, but his Highness had previously been informed that the investigation was founded on letters written by the minister's own

creatures, and in framing of which Baba Fudkey could not possibly have been a party, since their authenticity had been admitted as well by the receiver as by the writer.

8. His Highness then urged that an inquiry was about to be instituted into the "chit" (treasonable note) case, pending which Baba Fudkey should be compelled to absent himself, under security. Subsequently a counter-charge was preferred against the Baba, but which, even if well founded, could afford no valid plea for evading a scrutiny already commenced, and into an entirely different matter; finally, after a lapse of six days, it was intimated that the parties would be sent, in terms, however, which precluded my receiving them, especially as I had in the meantime discovered ground for supposing that they had effected a communication with the witness intended to confront them.

9. It is evident from my seventh para. that the character of Baba Fudkey, as exhibited in the commencement of his Highness's appeal to his Lordship in Council, could not have been the real cause for withholding witnesses. And with reference to that portion of his Highness's yad which complains of my refusal to send Baba Fudkey to the Durbar, unless accompanied by the native agent, I beg to state, that when a request was first conveyed to me by Sumbooram Kotwal that Baba Fudkey might be sent upon requisition through a Jassoos, I at once expressed my readiness to send him to the Mahraj when called for; but that subsequently having received intelligence that the request had not really emanated from his Highness, that the object of it was the seizure of the Baba's person, I considered it necessary to direct my native agent to accompany him to prevent treachery.

10. The concluding assertion in the yad, that Baba Fudkey is an enemy of this (the Gaekwar's) Government, is at variance with an opinion expressed by his Highness shortly before Mr. Grant's late visit to this place in March last, in the faith of which the Baba was induced to return to Baroda, when my avowed disapprobation of Baba Fudkey's being employed in any capacity whatever under the Durbar, alone prevented his Highness calling him to his ministry.

11. That the foregoing paras. contain a correct summary of the circumstances out of which his Highness's appeal has arisen, as well as of its subject-matter, will be evident to his Highness upon referring to the entire correspondence which has passed on this subject, whether between Government or the Durbar and myself.

(A.)

12. The latter correspondence I beg herewith to transmit (A.), and to submit at the same time my notes of a friendly interview his Highness accorded me on the 27th ultimo (B.), when the spirit of his Highness's conversation promised to bring the present discussion to a satisfactory conclusion; and I would respectfully state that his Highness's extraordinary departure from those promises, as shown in the yads of the following day, is only to be accounted for by the supposition that there must have been some truth in the rumour which reached me next morning, to the effect, that the minister had received during the night, from his agents at Bombay, assurances which it was represented had elated him to an extraordinary degree, and to which I attribute the successful exertion of his influence to induce his Highness to adopt the unsatisfactory course he subsequently followed.

13. Under present circumstances, however, his Lordship in Council might deem it intrusive were I fully to show, that not only this appeal from his Highness, but the policy of the Durbar, as connected with my last investigation, has throughout been in exact conformity with, and immediately subsequent to, the secret deliberation of Government. I shall therefore confine myself to the respectful expression of my firm belief, that the minister, exerting the influence of a strong mind over a weak one immediately under its control, has paraded before his prince the disfavour with which I am regarded by my Government, has excited his fears by misrepresenting their cause as common, and thus led him to believe that the threats held out to the late Guicowar in the event of a recurrence to the practices of which the minister is accused,* would now be enforced were he (the minister) convicted, and has by such means persuaded his Highness to the tortuous course he has pursued, a course which could have been adopted only with a wish to defeat the inquiry

* Letter addressed by the Governor to his Highness, dated 8th February 1841.

inquiry upon which I was engaged, for the minister well knew that my native agent, not understanding Sowcarry writing, and all my other native subordinates being under his (the Bhow's) influence, there remained not a man on my establishment who had the ability, if the honesty, to give me the true meaning of the papers. It was an object with him, therefore, to exclude the Baba from the inquiry.

14. In regard to the counter accusation, Baba Fudkey is not obnoxious to the charges the minister has induced his Highness to bring against that individual, with a view to create a diversion in his own favour. That his Highness was convinced of the Fudkey's innocence on a former occasion, when similarly accused by the minister, I was assured by his Highness himself, when spoken to in the man's behalf by Mr. Grant in my presence last April, and I have no doubt that had that charge been investigated by the Resident at the time it was advanced, the conspiracy of which Baba Fudkey was the victim, would have been thoroughly exposed.

15. As explanation for having employed the Baba upon this occasion, I beg to repeat that sheer necessity compelled me, and that I had the less scruple in having recourse to his assistance, because he had so lately been acquitted by Captain Fulljames of the charges brought against him; and because he could have no motive for deceiving me as to the real interpretation of writings, the originals of which he knew would ultimately be submitted both to the Bombay and Gaekwar Governments.

16. These originals are now before Government, and the correctness, or otherwise, of the translated extracts can be ascertained. If correctly translated, they convict Bhow Tambekur of the charge I have preferred against him. That they are authentic, is established.

17. The circumstances alluded to at the commencement of my 12th paragraph, prevent my here dwelling upon the pertinacity with which the demand for Baba Fudkey's being given up, as a Gaekwar subject, has been advanced, as being proof of the embarrassments arising from the betrayal of the secret consultations of Government, although it is clear that a knowledge of his Lordship's resolve to exclude that unfortunate man from the rights of a British subject, "to prevent injustice,"* must have prompted such pertinacity. But, bearing in mind the Honourable Court of Directors' expressed opinion, that Baba Fudkey was entitled to our protection, it is my duty respectfully to solicit the especial attention of Government to the reasons submitted in my letter, dated 22d ultimo, for disallowing any charges that may be brought against Baba Fudkey to be adjudicated by the Durbar so long as Bhow Tambekur shall remain in power, and to state that the objections then advanced became immeasurably strengthened by my obtaining a clue to the other branch of the intrigue above adverted to; for the Bhow then perceived that not only his existence as minister, but escape from just punishment, depended upon his ability to shift his own crimes to the shoulders of others. To accomplish this, he remained during many days engaged in accumulating false evidence against both Baba Fudkey and Govind Row Roreea, his subordinate agent in this matter, these being the parties on whom he purposed to fix the blame, should I succeed in proving that large sums had been employed for the purpose of prosecuting the intrigue. He also resorted to other acts of the utmost oppression, which, in my present position I decline to prove, but enumerate as recorded in my journal of information, derived from undoubted sources, for such consideration as his Lordship in Council may deem fit to bestow. They are, the rigorous imprisonment of the party through whom the money was paid, for the purpose of compelling him to substitute proofs in his books against Govind Row in lieu of those they contain against himself; secondly, the close confinement, under strict supervision of Govind Row, with intent to prevent his sending me the proofs he possesses; thirdly, harsh treatment of this individual's mistress, to induce her to divulge where his papers are concealed; and, fourthly, imprisonment, or prohibition from appearing at the Residency, under pain of heavy fine and imprisonment, to other parties able to give inculpatory evidence.

18. That such acts are still in progress, is proved by the transference to others of the districts and pagah hitherto in charge of Govind Row, accompanied by his

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* Government Letter, No. 5325, dated 8th December 1849, and subsequent correspondence.

own public disgrace; and I am morally convinced that unless the Honourable Court's opinion, as above stated, be enforced, they will eventually lead to the destruction of the already deeply injured Baba Fudkey.

(C.)
(A.)

19. Translation of his Highness's khurreeta is annexed (C.); translations of its enclosures are given in appendix (A.), Nos. 5, 6, 7, and 8.

I have, &c.

(signed) *J. Outram*, Resident.

Baroda Residency, 2 December 1851.

(A.)

TRANSLATE of Yad from the Resident to his Highness, No. 1,368; dated 23d November 1851.

No. 1.

A YAD was sent yesterday morning from the Residency, No. 1,361, requesting the attendance of Baba Dew Row and others, but they did not come; consequently another yad was sent to your Highness early this morning, No. 1366; after the despatch of which a yad dated 28th Mohrum 1252 (yesterday) was received, stating that it was customary to state for what purpose the attendance of parties was required by either Government; such not having been done in this case, certain information was requested, when the persons would be sent according to custom. To this effect a reply was received to my yad, No. 1361, after great delay. I beg to state that everybody is aware of what is now going on between the Bombay Government and this Residency, therefore no objections ought to have been made in sending persons to the Residency; and it must be borne in mind, that before despatching the above-mentioned yad, Sumbooram Kotwal was privately written to that the parties were required; if the objection had then been communicated, a reply would have been immediately sent, and the attendance of the people effected yesterday. I fully relied on your Highness making no objection to their coming, but your Highness's kamdar has, with a view to obstructing the inquiry, only to-day sent the reply to my yad, which surprises me much, but his conduct needs no further comment. In reply to your Highness's yad, I have now to state that in a case now going on at the Residency, the papers of Nerbheyram Khobeir, Paruck of Baroda, have been seized, which is well known to all; in these papers the name of Bhow Tambeykur appears frequently, therefore it will be necessary to secure the attendance of persons whose evidence is considered necessary. And I have now to request that Baba Dew Row, Anna Keebey, and others mentioned in yads No. 1,361 and 1,366, be sent to the Residency as soon as possible.

I have now privately, and in a friendly manner, to inform your Highness that a few days ago Bhow Tambeykur came to the Residency, and said that your Highness had given him permission to proceed to Karnallee, to which I made no objection, but as in the cases now pending, it will be necessary to question the Bhow Sahib, I request your Highness will prevent his going to Kurnallee until the business now in hand be completed.

TRANSLATE of a Yad from his Highness to the Resident, in reply to the above; dated 29th Mohrum 1252 (23 November 1851).

No. 2.

IN reply to the yad from the Residency, No. 1,368, of this day's date, I beg to state that this Sirkar is not aware of what is now going on between the Residency and the Bombay Government, and there is no occasion to obtain information on the subject, except from the Residency. Up to this date nothing has been communicated to this Durbar as to the complaints made against Bhow Tambeykur, therefore it is requested that you will explain what mention is made of the Bhow's name in the papers which have been seized belonging to the Paruck, and for what reason the persons sent for are required, when no objection will be made on the part of this Sirkar to sending them in the customary manner.

2. Relative to what is stated with regard to obstructions being thrown in the way of business by a kamdar, this Government is of opinion that some bad character must have raised this suspicion in the mind of the Resident. It is customary with both Governments to transact business with confidential kamdars, what has been above written is therefore a source of regret to the Durbar. It must be borne in mind that lately the practice of forging documents, and giving false evidence against respectable people, has been much in vogue, which has caused Sowkars and others to be afraid of carrying on business; it is therefore requested that this Sirkar may be explicitly informed of any suspicion which is created in the Resident's mind, when, if proved to be well-grounded, this Government will not delay in making proper arrangements; if such be not done, it must be remembered that this Raj will suffer much.

3. With reference to what is written regarding the Bhow Sahib's not going to Kurnallee until the present business is cleared up, I beg to state that for the last eight days it has been reported

reported in the town that it was the Resident's intention to prevent the Bhow's going to Kurnallee. It is extraordinary how this report could have been circulated before the receipt of the yad on the subject.

4. It is well known that Baba Fudkey and others are striving to bring false accusations against the Durbar and Bhow Tambeykur; an inquiry into this matter should be made by the two Governments. Agreeably to the Resident's request, the Bhow Sahib has been desired not to go to Kurnallee until this business is settled. It is very evident to this Durbar, that Baba Fudkey is now intriguing in all these cases; if, therefore, his presence be no longer required by the political agent, you are requested to say so, when, in consequence of the suspicion which rests on him with regard to the chit, his security will be taken, and desired to go and reside in some village 25 koss off, when the people required by the Sahib will be sent, and then will the rights of the case be made known to both Governments; therefore, a speedy reply should be kindly sent to this communication.

From the Resident to his Highness; dated 24 November 1851, No. 1,367.

In reply to the first para. of your Highness's yad, just now received, dated yesterday, I must express my surprise at this yad being sent instead of the parties required. The result of the examination of the papers alluded to will be reported to Government, and on receipt of their reply a communication shall be made to the Durbar, but now it is not in my power to enter into the particulars of the case; it is hoped that the difficulties which have been thrown in the way of this investigation, in consequence of the non-attendance of the persons sent for, will be taken into consideration, and that they will be forwarded without further delay, as before requested. As in the papers of Nerbheyram Khobeir the Bhow's name frequently appears, and both Nurbheyram and his goomashta, Booriah, have also written, this person (Booriah) has to be confronted with the parties whose attendance is requested, which is doubtless the reason of the kamdar's urging your Highness to object to their being sent to the Residency; but Booriah must be detained until these persons are forthcoming.

No. 3.

2. Adverting to the second para. of your Highness's yad under reply, I have to state, that in the examination of the Paruck's papers, it is necessary to send for persons when their presence is considered requisite, and the yad was written immediately; such appeared to be the case, and if the request had been complied with, the thing would have been settled at once, instead of which a remonstrating yad was sent, which obliged me to write again. Your Highness' surmise as to the reason of my suspicions is ungrounded, and there appears, therefore, no cause for the expression of regret.

3. With regard to the third para. of the yad, I have to inform your Highness that on the 18th instant Bhow Tambeykur came to the Residency and mentioned his intended departure; at that time nothing further took place, and I know not what gave rise to the report alluded to. Subsequently the Paruck's proceedings commenced, and circumstances rendered it necessary to write to your Highness. The name of the person whom the kamdar mentioned as the originator of the report should be communicated, when an inquiry will be instituted. It is stated that with the exception of what is communicated from the Residency, there is no need of obtaining information from other quarters; but how came the above-mentioned subject to be known, except from other sources. Taking this into consideration, it is extraordinary that what transpires between the Residency and the Bombay Government is not also reported.

4. Adverting to the concluding para. of your Highness's yad, I beg to state that from such mere hearsay it is impossible to understand the rights of the case; whatever proof there may be, however, of this person's intrigues should be sent, and pending the orders of the Bombay Government, it is impossible to reply to the question as to whether his presence will be again required or not by the political agent of the Rewa Kanta.

5. The difficulties which have been thus thrown in the way of the inquiry into the case herein referred to, tend to increase the suspicions which the Resident had previously entertained against the minister, which is written for your Highness's information, and I have only to repeat the request contained in my first para., and to request an answer to this yad.

TRANSLATION of a Yad from his Highness the Guicowar, to the Resident; dated 1 Suffer Soorsoon 1252, (A.D. 25 November 1851).

A YAD of five paras. was received from the Residency, dated 24th November 1851, No. 1,377, regarding the papers of Nerbheyram Koobair Paruck, which had been seized, to which the following reply is sent:

No. 4.

1. In the first, second, and third paras. it is stated that in the letters which were seized belonging to Nerbheyram, the name of Bhow Sahib has been mentioned in them; that the said Paruck and his Goomashta have clearly given in writing on the subject; that as it is necessary

to confront the parties, the kamdar of this Sirkar is putting obstacles in the way; that an inquiry regarding the Paruck's papers is going on; that if any person be required in the matter, they will be sent for; that this case is one of importance, but instead of sending the required parties a yad is sent disputing the point, &c. In reply this Government begs to state, that it is ambiguously stated that Bhow Sahib's name is mentioned. But whether his name is concerned in any gang, robbery, sedition, &c., does not appear; but if any one's name is simply mentioned in a letter, that of itself does not constitute an offence against the said person. Such is the law, and the Resident is well aware of this. Further, for the last few days, persons in the city have commenced forging treasonable letters as they like. And unless there be strong proofs, it would be improper to institute inquiries against any respectable persons upon mere suspicion, because his name is mentioned, for by doing which, not only is the person injured, but the state suffers therefrom; therefore, from whom the Resident received these letters, and what are their contents, and whether the person who gave them is a respectable person or otherwise. If the Resident has satisfied himself on these points, a reply should be sent, because this Government feels certain that Baba Fudkey has got up two or three false cases, and he has gone to reside in Camp for the last few days. On this point this Government does not think it necessary to write. If the Resident suspects that this is a treasonable case, this Government has no objection to send the persons required; but Baba Fudkey is an intriguing person, and by remaining near here, the real truth not being known to the two Governments, respectable persons become disgraced, therefore pending the settlement of the case which is going on before the political agent Rewa Kanta, Baba Fudkey should remain either with the political agent or at Kurnallee Pitlad, &c., two days' march from here, until such time as he is called here, when an inquiry into the Chit case will be proceeded with, and then the persons required by the Resident will be sent. There are two kamdars between the two Governments, and upon what ground the Resident suspects the kamdar of this Government to have obstructed this inquiry is not known; up to this day this Government has never objected to afford assistance in any just business; this the Resident is aware of. It is therefore necessary to write more on this point. It is written that it is very surprising this Government does not know what business is carried on between the Bombay Government and at the Residency. In reply this Government has to state, that it does not think it necessary to take any trouble to inquire what is going on between those Durbars, because by doing so the business of this Government is not benefited thereby. And if the Resident will take this matter into his consideration, he will not think it at all surprising. It is further stated that Booriah will be kept at the Residency until the required persons attend. This Government begs to observe that Booriah is a subject of this Government, and it is contrary to custom that he should have been imprisoned without the knowledge of this Government. The Resident ambiguously states that both the Shet and goomashta have clearly confessed. Did they confess to having committed an offence within the limits of the British territory, or how? It is not clear. Until this point is cleared, this Government is unable to write in detail on this subject.

2. In the 4th para. it is stated that if there be any proofs, &c. against the Fudkey charged with making "Turkut," to send the same to the Residency. In reply, be it known that the Fudkey is a subject of the Guicowar Government, therefore it is unnecessary to send proofs, &c. regarding his misconduct. If the British Government wishes to be satisfied of the guilt of the Fudkey, on being informed of the same, this Government will send proofs, &c. to the Bombay Government, and this authority alone the Sirkar will satisfy as to the guilt of the Fudkey.

3. It is also stated that, regarding the above-mentioned inquiry, if a yad be again sent in reply, even in trivial matters, the Resident's suspicion against the kamdar will be further increased. In reply, be it known, that this Government suggested in a former yad, that pending the settlement of this case the intriguing person should be kept at a distance, to which no reply has been received; on the contrary, it is stated, that if a reply be made to the Residency yad, the suspicion of the Resident against the kamdar will be further increased. This matter is a source of great regret to this Government, because, unless replies are sent, the different points between the two Governments cannot be cleared up, and it is contrary to friendship that suspicion should be brought against the kamdar because correspondence takes place.

The Resident is requested to take the above paras. into his kind consideration, and this Government hopes on the score of friendship to receive a favourable reply.

TRANSLATION of a Yad from the Resident to his Highness the Guicowar; dated
26th November 1851, No. 1,389.

No. 5.

A YAD was sent to his Highness the Guicowar from the Residency, dated 24th November 1851, No. 1,377, regarding the attendance of Baba Dew Row, Anna Keebey, &c., whose evidence was required in the inquiry going on relating to the papers seized belonging to Paruck Nerbheyram Koobair, and on the same day Sumbhooram Kooshall Nisbut came, and informed the Resident that the persons required would be brought to the Residency on the 25th instant, and requested me to send Baba Fudkey to the Durbar for the purpose of confronting him with Ramchunder Wisswanath Josee, whose deposition had been taken at
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the Durbar, regarding a certain document belonging to Wamun Row Dhondeo Sathay, for which money was to be paid, or if the Resident would confront the parties before himself it would be better; such was the desire of the Mahraj. But if the Mahraj wishes to confront Baba in his own presence, the Resident has no objection. To this effect Sumbhooram was desired to communicate to your Highness. On the 25th November Sumbhooram Khooshall came to the Residency and said, that the persons required from the Durbar would be brought by him the following day (26th), and to forgive him from not bringing them then (25th). That as it was Tuesday, not to send Baba to the Durbar, to which the Resident replied very good. Again Sumbhooram came this day (the 26th), and said that if Baba Fudkey was sent either to Dubhaee or Sunkeira he would bring the persons required by the Resident. Thus in three days different stories were told. From this it has become necessary to inform your Highness that the inquiry is still going on, and after confronting those persons with Goomastha Booriah, a report is to be made to the Bombay Government. With this view a yad was sent to the Durbar on the 22d November 1851, No. 1,361, requesting the attendance of those persons; but instead of complying with that request, frivolous excuses, and difficulties are made, and a correspondence has ensued, by the advice of the kamdar, whose object is to persuade your Highness to obstruct the business of the Residency. Such is the suspicion of the Resident, which is daily increasing. As the Resident formerly had occasion to bring this matter to your Highness' notice, yet hopes were entertained that his request would have been complied with, as twice communicated by Sumbhooram; a third story has now been brought, so that every moment your Highness changes your mind through the bad advice of the kamdar, of which the Resident has not the slightest doubt; neither has he any confidence in this kamdar. This case was intended to have been completed on the 22d, and on the 23d submitted to Government with the Resident's report. So much delay having occurred, and so many excuses made in order to obstruct the case, it will now be necessary to bring the matter to the notice of Government. That your Highness thinks nothing of this matter is very surprising to the Resident. The subject matter is, that Booriah wrote letters from Bombay, and replies were received by him. These Sowkars have no concern with state affairs whatever, and they have evidently been doing much underhand business; these persons, however, committed their offence within the British territory, which was brought to the notice of the Resident, of which no doubt has been left on his mind, but until an inquiry is instituted the Resident cannot lay open the matter. There are cases which if made public before inquiry, their object is defeated; but where an inquiry into a case is going on, and a person comes forward and mentions the names of any parties, or this becomes known by means of documents, it is not customary to stipulate that if a particular person be sent away, the parties named would be sent; such a practice is unknown. This brief explanation is written for your Highness' information. And the reason of keeping Booreeah at the Residency is, because the parties from the Durbar have not been sent to be confronted with him; and he cannot be released until they come, for if this were done, the persons sent for would concert with him and thus upset this case. After the yad was sent, requiring the parties named to be forwarded, Sumbhooram was informed that until those persons are confronted with Booreeah, the inquiry is stopped. Now after the lapse of four days a new obstacle has been raised, which is very surprising to the Resident. It is therefore requested that the persons required may* sent quickly, as formerly requested. As communicated to Sumbhooram, the Resident will send Baba Fudkey this evening to the Durbar with Sumbhooram, native agent, to be confronted with the parties named.

* S. O.

After the above was written the yad dated 1st Suffer (25th November, yesterday) was received from the Durbar. From a perusal of which it appears that, from first to last, what was communicated personally, and what has now been written, are two different things. In the latter new obstacles have been started; from this, whatever faith the Resident had in the verbal communications is now shaken, a reply to which will be sent separate.

The inquiry into the case of Paruck Nerbheyram Koobeir has been stopped, and a report will be made to the Bombay Government, on the receipt of whose instructions the same will be communicated to your Highness. It is written above, that Baba Fudkey will be sent to the Durbar; but since the receipt of the yad from the Durbar above alluded to, he has been forbidden to go. This is written for your Highness' information.

TRANSLATION of a Yad from the Resident to his Highness the Guicowar; dated 27th November 1851, No. 1,390.

AFTER recapitulating the contents of his Highness' yad, dated 1st Suffer Soorsun 1252 (A.D. 25 November 1851), regarding the attendance of Baba Dew Row and others, proceeds as follows:

No. 6.

1. The Durbar wishes to know whether Bhow Tambeykur's name is concerned in any gang robbery, &c. In reply, the Resident is unable to inform the Mahraj whether Bhow Tambeykur's name is concerned in any gang robbery, &c. or not; but when an inquiry into the case of the intercepted letters of Nerbheyram Koobeir is completed, and the instructions of the Bombay Government on the subject are received, the Mahraj will be duly informed of the same. As was stated in the Resident's yad, No. 1389, it is therefore unnecessary to write much. It is stated by the Durbar that if this case be a treasonable one the truth will

* S. O.

never be elicited so long as Baba Fudkey, an intriguing person, be allowed to remain near; that therefore the Fudkey should leave* city and remain two days' march from this place, when the persons required will be sent by the Durbar. In reply, the Resident has to inform your Highness, that Nerbheyram and his goomastha having acknowledged the papers, it is not right to pronounce this a false case. Nor does it appear to the Resident that Baba Fudkey should go two days' march from here. When a case is to be disposed of in a just manner, some excuse or other is offered to prevent the parties being sent to the Residency, which is not in accordance with friendship. It is further stated, that it is contrary to custom, Booreea being a Guicowar subject, to place him in confinement without informing the Durbar of it. In reply, the Resident has to inform your Highness, that Nerbheyram Paruck being a Shroff in the Brigade Major's office, he was sent for through the Brigade Major, as also his goomastha, Booreea, therefore there was no necessity to inform your Highness beforehand. In taking this into consideration, your Highness will find that it is not "contrary to rule." Booreea has acknowledged having written letters from Bombay, and as he committed the offence within the British territory, he has been confined. Thus after the elapse of four days, a new tukrar was raised by your Highness, which is very surprising to the Resident.

2. The Mahraj further stated, that if it be required to prove that Baba Fudkey is carrying on intrigues, he would submit proofs of the same for the satisfaction of the Bombay Government. In reply, the Resident requests your Highness will send the proofs, which will be submitted to the Bombay Government.

TRANSLATION of a Yad received from His Highness the Guicowar to the Resident; dated 4th Suffer Soorsun 1252 (A.D. 28 November 1851).

No. 7.

AFTER recapitulating the contents of the Resident's yad, dated 26th November 1851, No. 1,389, regarding the papers seized belonging to Nerbheyram Koobeir, proceeds as follows:

† S. O.

Sumbhooram did not promise the Resident that he would bring the witnesses with him, and having denied this in the presence of this Sirkar, the Resident observed that he must have misunderstood him; therefore, without properly understanding the matter, it was wrong for the Resident to speak ill of the kamdar in the yad. After his return to the palace from the Residency, this Sirkar required† to the summary, where it was found that the substance of the three stories told by Sumbhooram amounted chiefly to this, that by order of this Government Sumbhooram had said that Baba Fudkey was a tricking person, "and was getting up false evidence; that if the Resident wishes to institute inquiries into this matter, this person should not be kept near, when the parties required would be sent." Such was also the purport of the former yad sent to the Resident. If, however, the Fudkey is to be the complainant in this matter, he should be required to write down the charge, and be present at the investigation; but the Resident, not taking the matter properly into his consideration, writes to say, that the kamdar throws obstacles in the way. It is now five years since the Guicowar was placed on the Gadee, and in no one instance has any objection been made to sending witnesses, &c. in any case. Should such have been done, the Resident is requested to send a detailed yad pointing out each case in which this Government has departed from the rule. The fact is that Baba Fudkey is a bad character, and, for his own advantage, he tries every means to ruin this state; and with the view of carrying his intention into effect, he labours day and night, by going to the house of the Residency native agent, and also misrepresents matters to the Resident, which has caused the Resident to entertain groundless suspicions in his mind, and write in a manner calculated to lower the dignity of this Government. But as no arrangement is made to prevent this person interfering in this business, the real merits of this case will not be known; and groundless charges will be brought against respectable persons, of which the Guicowar government has not the least doubt. As the Resident wishes that the witnesses should be sent, this Government has no alternative but to send Anna Keebey, Baba Dew Rao, Hurgovind, and Gunputram Turwaree, at four o'clock this evening, to the Residency. Paruck Nerbheyram has stated, that Sewlall Goomashta went to Dakoree eight days ago, but will be here to-morrow; nevertheless a person has been sent to him to desire him to attend quickly. It was stated that Baba Fudkey would be sent with Soorujram this evening to the Durbar; but this Government has to state, that when British subjects, &c. are sent to this Durbar, to be confronted, &c., the kamdar of the Residency does not accompany them. This the Resident is aware of; but Baba Fudkey is a Guicowar subject, and after committing an offence here, has gone for the last three days to live in Camp. This Government requested that he should be sent here, but a reply has been received, saying that he will be sent with the native agent. This is contrary to rule; this point should be well considered. In the yad under reply, it is stated that Baba Fudkey will not be sent to the Durbar; but this Government begs to observe, that when delays occur in sending persons to be confronted as well as to give evidence, the Resident gets angry; but when a Guicowar subject commits an offence, and goes to reside in Camp, on the Resident being requested to send him, this Government is told that he will not be sent. From this it appears, that at the present time some foolish person has put doubts in the mind of the Resident; and as it is necessary for this Government to remove the said doubt from the mind of the Resident,

this

this Government will shortly send a khurreeta for the Bombay Government. Yesterday, when this Sirkar visited the Resident, he said that Baba Fudkey was the subject of the "Sirkar;" that if an inquiry was to be instituted, it should be done in his Highness's presence. In the present yad it is written, that Baba Fudkey will not be sent; from this a doubt has arisen as to which of the two opinions is correct. It is requested that this point should be cleared, and a reply sent.

TRANSLATION of a Yad from his Highness to the Resident; dated 4th Suffer Soorsun 1252 (A. D. 28 November 1851).

A YAD of two paras. received from the Residency, dated 27th November 1851, No. 1,390, regarding the papers seized belonging to Nerbheyram Koobeir; and, in reply, to make the following observations.

No. 8.

1. In the first para. it is stated, that both Nerbheyram and his goomashta have acknowledged the papers seized; consequently the case cannot be considered false, and that it does not appear necessary to send away Baba Fudkey two days' march from this. In reply this Government has to state, that although Nerbheyram and others may have written any thing they liked, and have mentioned the names of persons, yet they cannot be considered as offenders for that reason. This point is not clear, and it is a matter of great regret to this Government that an inquiry should be instituted contrary to justice and the custom of the country; but this Government is helpless before the Resident. As no arrangement will be made to keep Baba Fudkey apart from case, the real merits of the case cannot be known; on the contrary, it will be burdened with false evidence, and both Governments will be put to trouble to ascertain the true story.

2. It is further stated, that whatever proofs there may be against Baba Fudkey, in consequence of his intrigues, should be sent to the Residency, when the same will be submitted to Government; this was stated in the second para. In reply, be it known that it is of no use now to send the proofs in an open manner with this yad, because that person is so cunning, that in order to save himself he would get false witnesses, &c. to upset the business. From this day he would make his determination to give false evidence; therefore, without sending the proofs, this Government begs to state that Baba Fudkey is a Guicowar subject, and has committed an offence within the jurisdiction of this Government.

If, for this reason, the Bombay Government choose to investigate the case, this Government requests that the opinion to that effect of the Bombay Government may be sent to the Durbar, with the Resident's reply, when the proofs, &c. will be sent direct to that authority in charge of a trustworthy kamdar.

After taking the above circumstances into his kind consideration, the Resident will be pleased to send a reply, on the score of friendship, to this Government.

TRANSLATE of a Yad from the Resident to his Highness; dated 28 November 1851, No. 1,398.

WITH reference to your Highness's yad, dated 4th Suffer 1252 (28 November 1851), in reply to one from the Residency of the 26th instant, regarding the papers of Nerbheyram Koobeir, I have to state as follows:

No. 9.

1. In reply to the first para. of the yad, I beg to state, that when your Highness came to the Residency yesterday, I presented a yad, No. 1,389, dated the 28th instant, which was read by Sumbhooram, when your Highness asked about the persons being sent to the Residency. Sumbhooram alluded to the subject. I then stated, that nothing had been communicated to me regarding the non-attendance of the persons required; and what Sumbhooram then stated had not been told me before, and that I did not understand him to have said so. This expression has now been interpreted to have reference to what took place before, which is not the case, as will appear from the yad I presented at the interview.

2. Relative to the second para., stating that if Baba Fudkey is the complainant, he should write the charges and be present at the inquiry, I have to inform your Highness that Baba Fudkey is not the complainant in this case. In the papers of Nerbheyram, which I am now examining, the name of Bhow Tambeykur is clearly mentioned, and there is other proof against him. The papers being very difficult to decipher, Baba Fudkey was sent for to read them; there is, therefore, no occasion for him to be present at the inquiry, but if your Highness wishes it he shall attend. Touching what is stated relative to no difficulties having hitherto been thrown in the way of inquiry, I beg to state that my yad refers only to the present case.

3. In reply to what is written regarding Baba Fudkey's bad character, I have to bring to your Highness's notice that it is very evident the person whose name is so frequently mentioned in the papers, with a view to baffle the charges pending against him, endeavours

to persuade your Highness of the guilt of Baba Fudkey; and it is wrong to suppose that this individual deceives me, because he is only questioned when it is considered necessary.

4. Adverting to your Highness's offer to send the witnesses, with a view to please me, notwithstanding I do not agree to send Baba Fudkey away, &c., I beg to say, that it was necessary to send for these persons to enable me to investigate the case; but in consequence of my request not being complied with, I wrote in yad No. 1,389, that the matter would be referred to Government, and the proceedings suspended. At first Sumbhooram said that a jasood would be sent from the Durbar to call Baba Fudkey, and that the persons required would be sent to the Residency; this he now denies. The people were demanded for proper reasons; but so many difficulties have been made to their coming, which is now considered a favour, that I shall not now call for their attendance, pending the orders of Government on the subject.

5. Regarding the khurreeta, which it is your Highness's wish to send to the Bombay Government, I have to state that my report on this case is being prepared for submission to Government; if, therefore, the khurreeta is sent, it shall be forwarded at the same time.

6. With reference to the concluding para. of your Highness's yad, relative to Baba Fudkey's being a Guicowar subject, &c., I beg to state, that at the interview with your Highness no allusion was made to the subject, which both Mr. Battye and myself are quite confident of; I merely stated to your Highness, that if a case was going on at the Durbar at which Baba Fudkey was required, and your Highness would personally investigate the matter, he should be sent, but that I could not send him to one of your Highness's kamdars. It now rests with the Bombay Government to decide whether he is to be sent or not.

TRANSLATION of a Yad from his Highness the Guicowar to the Resident; dated
6th Suffer Soorsun 1252 (A.D. 30 November 1851).

No. 10.

A YAD has been received from the Residency, dated 28th November 1851, No. 1,398, regarding the seizure of the papers belonging to Nerbheyram Koobeir, to which the following reply is submitted:

1. In the first para. it is stated that the version given in the yad from the Durbar of the conversation which took place between the Resident and the Mahraj was incorrect, &c. In reply, this Government hopes that in future, as before suggested by the Resident, all communications may be made between the two Governments in writing, so that all doubts may be removed.

2. With regard to the second para., this Government has not yet been informed whether in the papers seized belonging to Nerbheyram, the name of Bhow Sahib alone is mentioned, or that of any other respectable person. This Government had before expressed doubt as to Baba Fudkey, who has been called to read the letters of Nerbheyram, properly explaining the meaning of those letters.

3. The Resident states that the object of the kamdar in bringing charges against Baba Fudkey, is to upset that pending against himself. Upon what grounds the Resident makes the assertion, this Government cannot understand. The Fudkey is not a kamdar of the Residency, which is well known to all; and none of the Durbar people suppose for an instant that by bringing charges against the Fudkey, those against the kamdar will be stopped; neither do people wish such to be the case. The Resident may rest satisfied on this point. And as the Resident must be aware of the Fudkey's own assertion, that he is inimical to this Raj and to the kamdar, this Government does not think it necessary to enlarge on the subject.

4. With regard to para. 4, this Government has to observe that the only objection made by this Durbar to sending the witnesses, was on account of Baba Fudkey, and it was requested that he should be kept away from the case; but this not being taken into consideration, it is written that a reference will be made to the Bombay Government on the subject; this is as the Resident pleases.

5. With reference to para. 5, this Government begs to enclose a copy of the khurreeta, addressed to the Bombay Government with this yad, and requests that it may be forwarded to the Bombay Government, and this Government informed of the same.

6. As the Resident states that nothing was said as to Baba Fudkey being a subject of the Sirkar, and that both Mr. Battye and himself are confident on this point, nothing more need be said of the matter, and the Mahraj will consider that it was his mistake.

(True translations.)

(signed) *M. Battye*,
Assistant Resident.

(B.)

INTERVIEW with His Highness the Guicowar, at the Residency, on the evening of
27 November 1851.

HAVING requested his Highness to accompany me to a private room with Mr. Battye, and no one else being present, except Shumbhooram (to read the yads). I informed his Highness that the yads received from the Durbar yesterday evening satisfied me, that neither had the purport of my former yads been properly represented to his Highness, nor my messages, entrusted to Sumbooram Kotwal, correctly delivered, while at the same time I had reason to doubt whether the messages brought to me by Sumbooram, purporting to be from his Highness, had really been authorized by him; "therefore," I observed, "I have sought this private interview with your Highness, to inform you confidentially of the real extent and nature of the evidence against your minister, which I did not think advisable to communicate in official yads which had to pass through his hands, for it is obvious that so long as he wields, as at present, the powers of the state, those powers would be exercised towards defeating the enquiry."

"I have now to inform your Highness that I possess positive proofs, which I have no objection to lay before your Highness privately, though I cannot do so officially, until I receive the orders of my Government; that your minister, Bhow Tambeykur, deputed an agent to Bombay, in December 1849, instructed to bribe the chief secretary and myself. These proofs consist of numerous letters written, by order of the Bhow, by his confidant, Nerbhayram Koobeir, to his nephew Bhanabhoye (*alias* Booria), the person deputed to Bombay. The authenticity of these letters is acknowledged by both those individuals, and they admit that they were acting under the instructions of Bhow Tambeykur, as repeatedly and distinctly stated in the letters. It is repeatedly and distinctly stated therein, moreover, that a bribe of 10,000 rupees had been given to the chief secretary. And the names of other persons concerned in this intrigue are given therein, whose attendance I required to confront them with Booria, whose detention at the residency, until they had been confronted, was indispensable. This I made known to Sumbooram, who declared he had your Highness's authority to cause their attendance, and promised to produce them on the 24th instant, but failed to do so, and put off the fulfilment of that promise from day to day. This was obviously caused by the minister's desire to ascertain the extent of Booria's disclosures previous to sending the parties I required, in order that they might concert together a prepared line of defence to be followed when brought before me; frivolous pleas were accordingly made for their non-attendance, from day to day, until at last, yesterday, when no further excuse could be made, the extraordinary condition was advanced, that, when Baba Fudkey was sent to a distance, then, and then only, would the parties be sent. This mode of evasion (for the minister well knew that I would not consent to so preposterous a proposal) would of itself have confirmed the suspicions against him, even were direct proof insufficient to convict him. Your Highness is also aware that there is another very serious matter under the consideration of the Bombay Government, which equally affects your minister; the corruption, namely, of subordinates of the Bombay Secretariate to betray the secret deliberations of Government, on which subject I expect soon to have to convey to your Highness the sentiments of the Right Honourable the Governor in Council.

"It has been a source of heartfelt satisfaction to me to have been enabled heretofore to assure his Lordship of my conviction that your Highness neither sanctioned, nor was cognizant of, these disgraceful intrigues, and of my firm belief that they had been prosecuted by Bhow Tambeykur without your knowledge, and I had hoped that your Highness's conduct, when made aware of the accusations against the minister, would have borne out that impression; I expected that your Highness would at once have deprived him of the power which he now exercises to an almost unlimited extent, by suspending him from office, and removing him from your councils, pending further inquiry, and the receipt of such communication as I may be instructed by my Government to convey to your Highness. On the contrary, the measures which have yet been adopted by the Durbar are such as seriously to compromise your Highness, and with the view of comprising you, and drawing you into common cause with himself, has the minister induced your Highness to adopt so dangerous a course. Instead of cordially aiding the inquiry, by sending the persons whose examination was required, they have been withheld on, as before stated, very frivolous prettexts; and with a view to obstruct the investigation, counter charges are now urged against Baba Fudkey, on the plea of which it is requested that he may be sent to a distance. However, your Highness may have been led to believe that there is ground for these charges, they afforded no reason for obstructing on that pretext, my investigations at the time in progress; and I am informed that extreme measures of severity have been adopted by the minister towards several individuals, on various prettexts, who are supposed to have it in their power to come forward against the minister, or who are supposed to have furnished testimony against him.

"It is for the purpose of warning your Highness of the serious consequences likely to arise from such a course, that I have sought this interview, and with the sincere regard which I bear to your Highness, and with the sole view of preserving you from injury, I now most earnestly entreat your Highness to adopt more satisfactory measures."

The above having been translated to his Highness by Mr. Battye, the yads were then read.

His Highness having attentively listened to these communications, then spoke a great deal

about his reliance on my friendship, and assurance of my wish to promote his welfare, &c., and declared that he had every desire to see these inquiries fully carried out, but that he had believed that they were the result of a conspiracy against Bhow Tambey Kur, got up by Baba Fudkey, and therefore he had proposed that the Baba should be removed before the persons I required to question should be sent.

I explained to his Highness how impossible it was that this could be the result of any conspiracy; the charge against the minister being founded on numerous letters written by his bosom friend Nurbheyram, acknowledged to have been written by him; as also acknowledged by his nephew to have been received by him, in Bombay; in which letters the Bhow's instructions, orders and advice, were repeatedly and distinctly conveyed as directed by the Bhow. I added, that I was willing to place these letters before his Highness confidentially, for his personal information, but that I could not do so officially, until the orders of Government were received, so long as the minister remained in power; for that while he wielded such power, it would be exerted to defeat the inquiry; that it rested with his Highness to continue the Bhow in power, or not, pending these inquiries, but that his doing so would not have the appearance of wishing to promote a fair inquiry; that however that might be, the whole of my proceedings would be placed before his Highness officially, when I received the orders of Government.

His Highness then said he had two suggestions to make, that he did not accuse Baba Fudkey of concocting conspiracy, but that such being the general supposition, he would propose either that the Baba should be sent to a distance, while the inquiry was going on, or that he should stand forward as the accuser; in either of which cases the parties I desired to examine should be sent.

I replied that I could not see the drift of the latter proposition; that my charge against the minister was not founded on the accusation of Baba Fudkey, or any one else, but on the evidence of documents which had fallen into my hands, the authenticity of which had been proved; that therefore I could not recognize him as the accuser; that the papers referred to being difficult to understand, I had called in the Baba to assist in ascertaining the meaning of doubtful passages, which from his experience of sowcarry writings, he was better able to make out than the office carkoons; that the object of the Bhow in instigating your Highness to require the Baba to be sent away is obvious; first, because he well knew that I would not comply with so groundless a proposition, and thus a plea would be afforded for not sending the parties; secondly, because he believes that only through the Baba's assistance am I likely to trace out the whole proceeding; and, thirdly, that by his banishment, others might be discouraged from giving information. I added, however, that I had no objection to Baba Fudkey being present at the inquiry, to be confronted with any persons who chose so question him; and I observed that I was aware his Highness had been led by the minister to believe that I desired to force Baba Fudkey on his Highness, as minister in his place, and that, with this object, I am prosecuting these investigations into the Bhow's conduct, but this I assured his Highness was utterly false; a cunning device of the Bhow, to turn his Highness against the Baba, and thus secure his support in his own behalf, by inspiring his Highness with the belief that he (the Bhow) was the victim of a persecution instigated by the Baba, with the view to supplant him as minister; whereas, so far from such being my desire, I should be very sorry to see Baba Fudkey employed at Baroda, where he has so many enemies, either under his Highness, or under the Resident in any capacity.

The Guicowar replied, "Then let the Baba be present at the examinations, though not as prosecutor, and I am content; I will send the persons you wish to examine, and be assured that if the charge is proved against Bhow Tambeykur he shall be punished as he deserves, for I never authorized any such proceedings as he is represented to have carried on, and never heard anything of them. I have no desire to screen the man; and if proved guilty, I will severely punish him; only let these inquiries be speedily brought to a conclusion, for while they go on no one has any confidence in me, and no one will serve me; and the sowcars are all afraid their books will be examined."

To this I replied, "Designing persons have impressed these apprehensions on your Highness' mind to induce you to try to stop the inquiry. This is not a case in which sowcars' books are required. The great object I have in seeking to expose these disgraceful transactions is, as I have repeatedly informed your Highness, to clear the reputation of my Government and countrymen from the shameful stigma that has been propagated by scoundrels, who, to gain their own ends, have so long inculcated the belief that British officers are swayed by corrupt influences; and, to preserve your Highness from being defrauded under that false pretext, as your father was, to an enormous extent. That object accomplished, there will be an end to these irritating investigations, and your Highness will then experience the benefit of having this chief source of vexatious mistrust, and useless expenditure, removed. But it is necessary that your Highness should aid my exertions to that end, thus establishing, beyond a doubt, your disapprobation of such proceedings. I assured his Highness that, next to maintaining the honour of my own Government, I had his welfare at heart; that by these inquiries I sought not to injure or degrade him, that, on the contrary, my desire was to benefit his raj, and advance his dignity; and I added, that it had been the source of the utmost satisfaction to me to have been enabled heretofore to exonerate his Highness from any cognizance of the disgraceful transactions I attributed to his subordinates.

His Highness then promised either to recall his former yads, and to add thereto the request that Baba Fudkey should personally attend the investigations, or to write his
answer

answer to the present yads to that effect, and that the parties I had summoned should be sent without further demur.

His Highness then took leave, after reiterating the warmest expressions of regard to me, personally, declaring that he esteems me as his father; that I had always treated him as a son; and that he is determined to be implicitly guided by me, who, he is convinced, has his real interests and welfare at heart.

(signed) *J. Outram.*

To the best of my belief the above is a correct account of the interview which took place between the Resident, his Highness the Gaekwar, and myself, on the evening of the 27th November 1851.

(signed) *M. Battye,*
Assistant Resident.

(C.)

TRANSLATE of a Khurreeta from His Highness the Guicowar to the Address of the Right honourable Lucius Bentinck, Viscount Falkland, Governor of Bombay, dated 6th Suffer 128 (30 November 1851), received 1 December 1851.

Further,

It became known to this Sirkar that a person named Viniak Morcysuwur Fudkey, residing in the city of Baroda, having produced false witness, &c., was making all sorts of intrigue; and while an inquiry into the case was being investigated by the Durbar, it came to notice that the papers of Nurbheyram Koobeir Paruk had been produced at the residency, which were being examined by the Resident, assisted by Baba Fudkey. The names of certain kamdars appeared in these papers; and on the Resident's requesting the attendance of these kamdars, it was in a friendly manner represented that this Baba Fudkey was an intriguing person, and a man of bad character, therefore the Maharaj had not the least confidence in him; and he should not be allowed to have anything to do with the matter. Instead of taking into consideration this representation, in a yad, No. 1,398, it was written, that Baba Fudkey was called to read the papers which had been seized, the proper interpretation of which a man of such bad character would never have given. On the subject of this man's removal, therefore, a correspondence has ensued between the Resident and the Durbar. Copies of four yads which have passed are herewith forwarded. On taking the same into your kind consideration, the particulars of the case will be made known. In short, if this case be inquired into by the Bombay Government, the charges pending against respectable persons will be removed. An investigation is now going on at the Durbar regarding some papers which have been tampered with. Baba Fudkey being required in this case, was sent for. Previous to this he had taken refuge in the camp of Baroda; and the Resident having been immediately written to, to cause his attendance, a reply was received stating that he would be sent with the native agent. Afterwards, the orders of the Bombay Government were said to be requisite; but this Fudkey being a subject of the Guicowar Government, it was contrary to established custom to send him with the native agent. The Bombay Government, with a view to enhance the friendship existing between the two Governments, sent a confidential khurreeta, dated 6 May 1847, to this Sirkar, to the effect, that Colonel James Outram would increase the friendship hitherto existing between the two Governments, that he was appointed Resident with this assurance; such having been communicated to this Durbar, Baba Fudkey, an enemy of this Government, being employed in the business of the Sirkar at the residency, is a source of deep regret to this Government. It is therefore with the greatest respect I beg to petition the Bombay Government, that after taking the above into consideration, arrangements will be made to prevent further annoyance to this Government.

(True translation.)

(signed) *M. Battye,*
Assistant Resident.

— No. 56. —

MINUTE by the Right Honourable the Governor.

I CANNOT say that I think Lieutenant-colonel Outram has conducted this correspondence with discretion; he has allowed himself to be drawn into a discussion which has resolved itself into a contest between two individuals, natives; Baba Fudkey on the one hand, and the minister of the Guicowar on the other; and I regard the position assumed by the Resident, of defender of the first and accuser of the second, as an undignified and improper one, and as calculated to commit the Government he was at the time representing, in a manner calculated to produce much future embarrassment, and no present advantage.

I confess myself quite incapable of understanding the intrigue which Lieutenant-colonel Outram is endeavouring to unravel, and I cannot consent to call on the Guicowar to remove his minister, until the reasons for so strong a measure are clearly shown to be more weighty than they seem to me to be from any documents that have yet been submitted to us.

With regard to the kurheeta of the Guicowar, I should wish for the opinions of my colleagues whether it be indispensably necessary to reply to it, and if it be, how it should be answered, as I conceive the course Colonel Outram has in this instance followed, renders our position in regard to his Highness one of some delicacy.

(signed) *Falkland.*

15 January 1852.

— No. 57. —

MINUTE by his Excellency the Commander-in-Chief, without date.

I CAN give no opinion on this subject, not having been in Council when the case came forward.

(signed) *J. Grey.*

— No. 58. —

MINUTE by the Honourable Mr. *Blane.*

I HAVE already in my minute of November 22d, expressed an opinion that Colonel Outram was permitting himself to be made the dupe of Baba Fudkey, in the prosecution by that individual of his feud with the minister, and quite concur in viewing Colonel Outram's proceedings in that respect as most injudicious and indefensible.

2. At the same time it is desirable that requests of the Resident, for the attendance of parties at the residency for purposes of inquiry, should meet with all customary attention from the Durbar.

3. I would therefore reply to the "yadee," in order to avoid the interpretation which might be placed on the non-assertion of the privilege in question, though the intimation need only, I think, be made in very general terms; for instance, that the proceedings of the Resident remonstrated against by his Highness, would seem to have been merely a request for the attendance of certain parties at the residency for purposes of inquiry, and that we trust no deviation from the usual courtesy in promptly complying with such requests, will ever be permitted to occur.

(signed) *D. A. Blane.*

17 January 1852.

— No. 59. —

MINUTE by the Honourable Mr. *Bell*, concurred in by the Right Honourable the Governor.

I FULLY concur in the two last paragraphs of the Honourable Mr. *Blane's* minute.

(signed) *A. Bell.*
Falkland

17 January 1852.

— No. 60. —

No. 40 of 1852.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government Bombay, to *J. M. Davies*, Esq., Resident at Baroda.

Sir,

I AM directed to acknowledge the receipt of Lieutenant-colonel Outram's letter, dated the 2d ultimo, No. 221 (B.), with enclosures, and to inform you that the Right honourable the Governor in Council is of opinion that that officer acted with indiscretion in allowing himself to be drawn into a discussion, which has resolved itself into a contest between Venayk Moreshwur and the minister of his Highness, the Gaekwar.

2. His Lordship in Council considers the position taken by Lieutenant-colonel Outram, as defender of the former and accuser of the latter of the above persons, both undignified and improper, and likely to commit the Government he was representing, in a manner probably involving considerable future embarrassment, while productive of no present advantage.

3. His Lordship in Council at the same time deems it essential that requests which from time to time, may be preferred to the Baroda Durbar for the attendance of parties at the Residency for purposes of inquiry, should meet with all customary attention. A letter* on this subject from the Right honourable the Governor to his Highness, the Gaekwar, in reply to his Highness's communication to his Lordship, dated the 30th November last, is enclosed, and which you are requested to forward to his Highness.

I have, &c.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 29 January 1852.

— No. 61. —

No. 41 of 1852.—Secret Department.

RESOLUTION of Government in the Secret Department.

ORDERED that the accompanying khureeta from his Highness the Gaekwar, to the address of the Right honourable the Governor, dated the 30th November 1851, be transferred to the Persian department, with a request that the Deputy-Secretary to Government in charge of that department will cause a reply to be prepared for the signature of his Lordship, to the effect that "The proceedings of Lieutenant-colonel Outram, c.b., the late Resident at Baroda, remonstrated against by his Highness, appear to have been merely a request for the attendance of certain parties at the residency for the purpose of inquiry, and that Government trusts that no deviation from the usual courtesy in promptly complying with such requests, will ever be permitted by his Highness to occur."

Ordered that the above reply, when ready, be forwarded to the Political Department, accompanied by a copy and a translation.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 29 January 1852.

— No. 62. —

From Lieut.-colonel *J. Outram*, c.b., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government.

Sir,

Baroda, 15 December 1851.

WITH reference to the 16th para. of my letter (No. 221 B.) of the 2d instant, and as anticipatory of his Highness's minister's future acts, I have the honour to submit such further information of his proceedings as, combined with that already forwarded,

Secret Department.

* Copy and translation of which are enclosed, for your information.

forwarded, may induce Government to receive with caution, and sift minutely, any charges he may hereafter prefer, especially if such charges shall assume to inculcate my present native agent, or Venaik Moreshwur Fudkey.

2. These are the persons against whom Bhow Tambeykur is most inveterate; and it is a duty I owe to them, as innocent men, who have incurred the enmity of unscrupulous and powerful foes, solely through the faithful discharge of their duty as Government servants, to leave on record, as warning both to Government and my successor in office, my firm belief that if the vindictive man who now wields the whole power and influence of the Durbar, and whose authority late events have served mysteriously to confirm, shall in course of time deem it for his interests to accuse either of the abovenamed, few natives in Guzerat will dare to give truthful evidence, while hosts of Gaekwar subjects, and every Sowcar book at Baroda, will be at his command for proof.

3. The first proceeding I have to relate is in continuation of my report, dated 22d ultimo, and it is to the effect that the minister has succeeded in getting a facsimile of the "treasonable note" prepared, with the intention, I believe, of bringing forward the party by whom it was executed, to declare that he had previously forged a similar one for the Baba. On the 29th of September last it was brought to my notice by the native agent, that the minister had been making overtures to the father of one of the carkoons in the office, who has the reputation of being expert in imitating handwriting, to induce him to execute a facsimile of the "chittee." I sent for the carkoon, and took down his deposition, as well as of a cousin of his, whom, it appeared, was also cognizant of the circumstance. These depositions I now forward, marked A. They were not transmitted with my former letter, because unnecessarily adding to the bulk of that report, for I then considered that it would be time enough to produce them when the inquiry was instituted. By whom the Bhow got his copy prepared I know not, but doubtless he will be ready to depose, as instructed, when required. The parties whose depositions are now transmitted have, I know, no connexion whatever with Moreshwur Fudkey, and I question whether he is even acquainted with them. And so far from the native agent lending himself to befriend the Baba, he is, and always has been, extremely jealous of that person, erroneously conceiving that he aspires to occupy the situation of native agent.

4. A second plan of the minister's is to make it appear that Baba Fudkey had procured the "Minutes" of Sir G. Clerk's government, forwarded with my letter dated 21st ultimo; how he hoped to effect this, in the teeth of what I believe to be the undoubted fact, that the said minutes are in Wamun Row Tatteah's handwriting (though he, of course, denies it), I am at a loss to conceive. It appears that Umrut Row, the party who gave up the minutes to me, had had some negotiations with Wamun Row (who had become aware such papers were in Umrut Row's possession) for their restoration to him, through one Ramchunder Josee. The negotiation failed, and Umrut Row ultimately gave them up to me in the manner stated in my report, dated the 21st ultimo. The explanation he gives as to his motives for pursuing the negotiation are entitled to little credit; and I suspect his only reason for not giving them up was his belief that the other party would not keep faith with him; but be that as it may, the minutes could only have been originally obtained for the service of the Durbar; and it is not likely they were obtained through a different channel than that through which other minutes have been proved to be similarly obtained. The circumstance, however, of Ramchundur Josee being connected by marriage with Baba Fudkey, gave the minister a plea for throwing blame upon him. Ramchundur was seized, and such admissions extorted from him as suited the minister's purpose. It was then intended to get hold of the Baba's person, and incarcerate him on this charge (to justify which the Josee's pretended confession, and other evidence, got up for the occasion, would then have been forwarded to me). The Baba, however, received intimation of what was intended, and fled to camp. It was then attempted to get hold of him by the means described in my letter, No. 221 B, dated 2d instant. Moreshwur Fudkey petitioned me on the subject (B No. 1); notwithstanding which I should have sent him to the Durbar (on the faith of Sumbooram's message), had it not been for the circumstances detailed in that report. In the meantime Sumbooram was sent to the residency with yad No. 2 B, to examine Umrut Row, who had that very morning (before Sumbooram's arrival) presented the petition

B. No. 1.

B. No. 2.

petition (B No. 3) on the subject. He was examined by Sumbooram accordingly in my presence (translation annexed, B No. 4), and the story contained in his petition was not shaken in the slightest degree.

B. No. 3.
B. No. 4.

5. That Baba Fudkey should be accused on the score of his family connexion with Ramchundur Josee is most unfair, for that person is as nearly connected with the late Bheema Shunker Shastree, the patron and ally of Wamun Row Tatteah, for though father-in-law to the Baba's son, he is brother-in-law to Bheema Shunker. It was, in fact, a mere pretext, set up by the Bhow to get the Fudkey into his power; and it is obvious that Baba Fudkey would never for a moment have permitted the negotiation for the restoration of the papers to Wamun Row had he been cognizant of the fact.

6. While on the subject of the minutes, I may here mention that the minister has taken Kristna Row Wittull's carbarry into favour since the discovery of the minutes which related to Kristna Row's case. As ever heretofore the bitterest enmity subsisted between them, it is supposed that the Minister has held out some irresistible inducement to the carbarry to declare that he had obtained the minutes from Bombay; that they had been stolen by him, and surreptitiously introduced into the letter addressed to Wamun Row, in which they were found. If this is the defence the minister intends, it is unanswerably disposed of by the fact, that Kristna Row was not in a position to bribe the secretariate, and kept no agent in Bombay for that purpose, by the fact, that instructions were conveyed to Wamun Row, founded on those minutes, in letters despatched at the same time, and by the fact of the instructions sent from Baroda to Dajee Satteah in Bombay, as to how he was to reply to the questions that might be put to him by Government.

7. With respect to the residency native agent, Sooruzram Gungaram, whose ruin has long been an object of the minister, solely because he has been unable to purchase his subserviency, I thus reported in my letter, dated 15th October 1850, on the occasion of explaining circumstances in the early life of Sooruzram which it was possible might have induced Government to remove him from his present office.

"Should it be expedient to relieve him (Sooruzram) from his present duties, I have to express a hope, that the Honourable Board will consider it an act of justice to replace him in some position in the general service of Government, similar to that which he vacated on coming to Baroda, if indeed, he may not be considered to deserve advancement. For by the services he has rendered me in exposing the recent criminal acts of Baba Nafra, and by making known to me the bribe offered to him by that individual, he has, I think, eminently entitled himself to some special mark of favour. These services have indirectly tended to shake the popular belief in the efficacy of khutput, and thus he has, I conceive, laid Government under great obligations; but they have, at the same time, raised against him such a host of cunning, implacable, and unscrupulous enemies, that in dread of being again victimised, he applied to me, many days ago, for permission to retire from office" * * * "Sooruzram, I may mention, was only reconciled to the retention of his post, by my permitting Mr. Battye to take an inventory of his jewels and valuables with a view to protect himself, in some degree, against the machinations he dreads."

8. Since that report was dispatched Sooruzram has been assailed by repeated overtures, whether direct or indirect, from the minister; these have always been reported to me at once; but deterred by the ominous silence with which my report of the former attempt to bribe the native agent was received, I have not repeated the measures then successful in detecting it, nor reported upon facts which, although related with a circumstantiality not to be invented, had the support of his individual testimony alone.

9. Failing to seduce the native agent from his fidelity, the minister has for some months past (especially since the sitting of the Commission) endeavoured to entrap, or get rid of him; more than one plot has been laid with the former view, of which, however, his own sagacity or timely information made him aware, and which were duly reported to me. As an example, I annex translation of the deposition of a respectable Soucar, taken before me the other day; and on the truth of which, from the character of the deponent, and the manner in which he gave his evidence, I fully rely.

10. I will not here detail all the measures pursued to frighten him from his post; suffice it to say, that he has been for some time seriously ill from the effects, as he supposes, of the workings of witchcraft, which his enemies have put in practice to destroy him. We may deride his placing faith in such practices, but it is well known how all natives of his class are imbued with such faith, and that the denunciations of the pretended magic workers are frequently brought to pass by other means than witchcraft, to which the result is attributed.

11. I believe that Sooruzram, in dread of the machinations of the powerful league of corruptionists, will be compelled by his fears to resign his post, when he learns that I am not to return; but, in that case, I trust he will be replaced in some equally honourable a position to that he relinquishes, if not otherwise rewarded for his past services; and as my last act before leaving Baroda, I beg to place under the special protection of Government the two deserving servants who are the subject of this letter.

I have, &c.
(signed) *J. Outram*, Resident.

A. No. 1.

TRANSLATION of the Deposition on oath of Wiswanath Gopall; Deccanee Brahmin; employed in the Residency Office; aged 29 years, now residing in Camp Baroda; made before the Resident on the 29th September 1851.

Question. WHAT did you communicate to the native agent, Soorajram, about eight or nine days ago?—*Answer.* As, on the 19th instant, there was leave in the office on account of “Dosee noverus,” I went to dine in the city at my aunt’s house; and my cousin, Wamunrow Moreshwur told me that a cabal had been raised about the chittee, and the people at Bhow Tambeykur place are saying that the Bhow declares that the chittee is not written by him; and his friend, the son of Ramchunder Gopall, by name Nana, informed him that some person, on the part of Bhow Tambeykur came to his place to ask if they would forge a chittee in the handwriting of Bhow Tambeykur, but they refused it; and on the 20th instant, when I came to office, I questioned Nana on the subject, who acknowledged having told as above to my cousin; I then informed Soorajram of it; this is all I know.

How came Wamunrow to know what passed at Bhow Sahib’s place, do you know?—Wamunrow is at present employed under Baloojeerow, and he frequently goes to Bhow Sahib’s place on business, and he lives close to Bhow Sahib, consequently he may have come to know of it.

Was any one present when your cousin spoke to you as above stated?—Besides ourselves, no one else was there.

Did any conversation take place about giving any money to the person who should imitate the handwriting of Bhow Sahib?—My cousin informed me that he had heard that to any person who will write a chittee, and imitate the hand of Bhow Sahib, he (the Bhow) would obtain an assamee of 500 rupees for that person, under a purmanah bearing the Guicowar’s seal on it.

Did you ask your cousin from whom he heard about giving the assamee?—I did not ask him; nor did he tell me from whom he had heard it.

(signed) *Wiswanath Gopall*, by himself.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

A. No. 2.

TRANSLATION of the Deposition on oath of Narronrow Ramchunder Oorf Nana, Deccanee Brahmin; Profession, Service; employed in the Residency; aged 31 years; Inhabitant of Baroda; made before the Resident on 29th September 1851.

Question. ABOUT eight or nine days ago did you state anything to the native agent, Soorujram in the cutchery; if so, state the whole particulars?—*Answer.* On the 18th September 1851, after attending the cutchery, I returned home, at which time I found my father sitting, when Ameen Jeevabae and his karbaree, Eshwarjee, came and took a seat also; they told my father that Sumbooram has declared that if any person will imitate the handwriting of Bhow Tambeykur, the Bhow Sahib will get an assamee for him from the Guicowar Sirkar; that if my father would do it, it will be well, and that Bhow Sahib will be greatly obliged, and an assamee given to him for life; my father and I replied that such is not our business, nor can we do it; I receive 10 rupees a month from the residency, and if I interfere in such a matter I shall lose it, therefore they should not speak to us on such matters; after this they went away; the next morning Eshwarjee came to my house, and said that Shumbooram wanted me; I replied, what business has he with me? he said—
he

he did not know. I then went with him to Shumbooram's house, who was seated up-stairs; Shumbooram then asked me whether I would be able to do that which Eshwurjee told me yesterday; I distinctly answered in the negative; he then said, "Very good," and I returned to my house. That day being "dosee novum," there was leave in the office, so I did not attend; but when I came to office on the 20th instant I stated the above circumstances to Soorujram Bhaee.

Did you mention the circumstances to any other person?—I told it briefly to my friend Wamonrow Moreshwur on the morning of the 19th instant; and on the 20th idem, Wiswanath Gopall having questioned me on the subject, I told him also.

When Eshwurjee took you to Shumbooram, was any person sitting with him, or was he alone?—Shumbooram was seated alone in his house, up-stairs, and when I and Eshwurjee went to him, there was nobody else there.

As you went and returned from Shumbooram's place on the 19th instant, did you inform your father of the same?—I did not mention it to my father.

What was the value of the assamee offered?—No sum was mentioned, the word assamee was merely stated.

When Jeevabhaee and his karbarry, Eshwurjee, came to your house, and spake to you and your father in the above manner, was any one else present?—There was no other person present except us four.

Did they inform you for what purpose they wanted to imitate Bhow Sahib's handwriting?—No; but they said they wanted it for the purpose of a chittee.

At what time did you go to Shumbooram's house?—I went about seven o'clock in the morning.

Is your father acquainted with Jeewabhoy?—This person rents our "della;" from this circumstance, and he being the nephew of Ameen Kussuabhoy, of Vussoo, we know him well.

(signed) *Narronrow Ramchunder,*
By himself.

(True translation.)

(signed) M. Battye, Assistant Resident.

(A.) Nos. 1 and 2,
Enclosures to
Letter, dated 15th
December 1851.

B. No. 1.

TRANSLATION of the Petition of Venaik Moreshwur, *alias* Baba Fudkey, to the Resident; dated 22d November 1851.

LAST year the Guicowar Sirkar's Kamdar attempted again to disgrace me, by holding out encouragement to Khooshall Vyed, of Bhadurwa, through Lalla Hurreelal, to the effect that he would get the Bhadurwa gaddee made over to the adopted son of the widow of Jal-lumsing, provided he (the Vied) caused a petition to be made against me, charging me with bribery. On this, that individual preferred a false petition against me before the Political Agent, Rewacaunta, and I made a proper reply to the charge, but he (the Kamdar) did not succeed as he wished, and I heard that he had been concocting some other false charges against me, and intended to imprison me. I then considered that these persecutions in a raj where no justice is afforded, are being carried on, and will continue; and as I had no one to lay my case before the Bombay Government, I went at once to Bombay, but I was obliged to return to Baroda, in order to give my reply in the Bhadurwa case. I have now heard that it is intended, as before, to bring some charge against me, to the effect that Govindrow Roreea and Vrijbookum Suttaseeah, and myself, have got together, and exposed all the letters and papers of a fraudulent nature, which had been seized, for which reason they intend to seize and put us all in prison. In order to save my own reputation therefore, I left the city of Baroda, and came to reside in camp. From the very beginning the whole of my family are British subjects. On this subject I have several times made petitions to Government, which the Resident is aware of; and if the Guicowar Sirkar has any questions to put to me, I am ready to reply to them in the Resident's presence; but I have no wish whatever to go to the Durbar, because his Highness does not look to justice, but listens to whatever the Kamdar says to him. But in a Durbar where threats are used to obtain answers, which answers are written as they may think proper, no justice can be afforded to a poor person like myself. For instance, see the case of Joiteebae. Not many days ago my son's father-in-law, by name Ramchunder Viswanath, of Jamboolpara, was forcibly taken away, and his deposition taken, who deposed all that was true the first day, but he was not released; the second day he was threatened to be put in irons, when the Kamdar extorted his deposition in the way he liked, and afterwards let him go. In this same way he has imprisoned three or four other persons, that they may not go and inform the Resident of other disgraceful acts on the part of the Kamdar; but of this the Sahib may have already been informed. The present Kamdar and his counsellor, Wamunrow Satteah, and his brother Dajeeba Satteah, have been guilty of a serious crime by obtaining the Minutes of Government, and other information affecting the interests of the Guicowar Government, by bribing the Government servants before the Resident receives the usual intimation from Government on the subject; and this practice seems to have been carried on for a long time during the uninterrupted friendship between the two Governments, and a charge is now, therefore, brought against me for having exposed the same. It is solely on

account of my having performed the service of Government faithfully that I have been persecuted in this manner, but my sole object is, that whatever duty I may be called upon to perform under Government, to do it faithfully and correctly; and this I do; but these people having no fear of the Sirkar, act as they like. What fear, then, have they to disgrace a poor man like myself? Whatever has come to my knowledge, as above stated, I have informed the Sahib of; and it rests with the Resident, as the representative of the British Government, to save me from the hands of such bad characters.

(True translation.)

(signed) *M. Battye,*
Assistant Resident.

B. No. 2.

TRANSLATION of a Yad from His Highness the Guicowar to the Resident, dated 29 Mohorun Soorsun 1252 (A.D. 23 November 1851): Brought to the Residency by Sumboram on the afternoon of the 24th, on the morning of which day the previous Deposition had been made.

Two or three days ago a paper was shown at the residency to Wamunrow Dhandeo Sattah; regarding this paper, Baba Furkey's relation, Ramchundre Wisswanath Josee, made some overtures to Wamonrow to obtain it by paying 3,000 rupees. This circumstance, on being made known to the Sirkar by the Sattah, the said Ramchundre Wisswanath was called, and his deposition taken, in which he acknowledged the above-mentioned circumstance. As it is necessary to put some questions to Umrootrow Bulwunt, who now resides in camp, on the subject, this Government requests that this person may be sent to the Durbar with Sumboram Khooshall, who will attend to-morrow with this yad for that purpose. If not, that he be brought before the Resident, and whatever question the said Sumboram Khooshall shall put to him, this Government hopes the Resident will cause him (Umrootrow) to reply to.

(True translations.)

(signed) *M. Battye,*
Assistant Resident.

B. No. 3.

TRANSLATION of the Petition of Amrootrow Bulwunt to the Resident; dated 24th November 1851.

I GAVE a petition to the Resident Sahib, with a minute* of two bunds; but previous to this, Wamunrow Sattah sent Pandooba Sattah and Bhoojungrow (a carkoon of Abba Sahib, Venaik Gungather), who had come from Bombay to me with the view of obtaining the said minute from me; they continued to visit me for four or eight days, and said they would give me 1,000 or 1,500 rupees if I gave the paper up to Wamunrow Sattah. On this I considered that, if they brought the money, I would bring it before the Sahib, which would check the rascality of such intriguing persons. With this view I told them that if they give 4,000 rupees I would give up the paper. On this, Pandooba Sattah said that he would give 3,000 rupees, and told me to give the paper to him; I replied that if he brought the cash to me, I would give it to him; Pandooba then said he would not bring the money here; but desired me to come to his master's, garden in the evening with the paper, when he would pay me the money. On this I suspected they were going to practise some deceit; I then distinctly told them that I would not go there upon their assurances, and that I had no paper to give them; on this they went away. Afterwards, on Nursingjee's fair-day, I went at night to see it, and met Nana Jossee of Jamoolpura, and told him that "I had got a minute of the Bombay Government's in the handwriting of his friend Wamunrow Sattah; that I received a message from him regarding it, but that I did not put faith in what he said; that if he would pay me 3,000 rupees through him (Nana Jossee), I would give him this paper; but if he does not agree to it, the paper was to be returned to me." After telling him this, I delivered the minute of two bunds to Nana Jossee, and returned to camp. About five or six days after, I again went to Nana, and asked what had been done; he replied that "I have no faith in Wamunrow's assertions; he will be after some deceit, and you will blame me; therefore take back the paper; I don't wish to interfere in the matter." I then took back the paper, and have delivered it to the Resident Sahib; I heard to-day that Wamunrow Sattah, after telling Bhow Sahib of it, sent peons to Nana Jossee, and took him away forcibly, and is persecuting him on account of the said paper. I therefore mention this for the Sahib's information. I have proofs to show that Pandooba used to come to make overtures to me.

* Alluding to the minute on the Govindrow and Radhabaee discussions, forwarded to Government with my letter, dated 21st November 1851.

B. No. 4.

TRANSLATION of the Examination of Umrutrow Bulwunt, taken by Sumboram Kotewall, on Magsur Sud 1st, Sumt. 1908 (A. D. 24 November 1851), in the presence of the Resident.

Question. About 20 or 22 days ago, did you come to the city of Baroda or into the Poora, and if so, how often, and who were with you?—*Answer.* On Kartig Sood 14th (7th November), as the procession of Nursingjee took place, I and my servant left camp, after seven o'clock at night on that date, for the purpose of worshipping the said idol; after passing "Joteshwur" temple, we went to the temple of "Nursingjee," in the city, for worship; but as the crowd of people were so great, and the procession not having returned, I performed worship near the entrance of the temple, and then returned and went and delivered a paper to the brother-in-law of Bhemashunkur Shastree, by name Ramchunder Josee. About four or five days afterwards, I went again, at night, to Ramchunder Josee, who returned me the paper I had given him, and said that Wamonrow Sattch does not agree regarding the said paper, and he does not wish to interfere in the matter, and desired me to take back my paper. After saying this, he returned the paper to me, when I brought it to my house.

You gave a paper to Ramchunder Josee, and he returned it to you; state what that paper was, and why did you give it to him?—I had a minute in the handwriting of Wamunrow Sattch, to take which from me Pandoooba Sattch came to me in camp in last Bhadurwa (September), desiring me to give up the paper of Wamunrow Walla, and he would give me 1,500 rupees for it. On this I asked him 4,000 rupees, and that if he paid me this sum I would give up the paper; he, however, agreed to give me 3,000 rupees, which sum I at last agreed to take, and told him to bring the money into camp; but Pandoo said, as the evening had closed, I should come to the garden of Shastree Bowah, and that he would give the money there and take the paper from me. On this I suspected that by going to his garden in the evening, and alone, some deceit will be practised towards me, and I put no faith in what he said; therefore I went to Ramchunder Josee on the day the procession of Nursingjee took place, and told him that, as I had got a paper in Wamunrow's handwriting, Pandoooba came to get it from me; but as I had no faith in him, and as he and I were friends, I desired him to interfere in the matter, and to obtain as far as 3,000 rupees for me, and then to give this paper up. After delivering that day the paper to Ramchunder Josee, I returned to camp. Wamunrow, however, would not agree to what Ramchunder said, and refused to give the money; he then told me as above stated, and gave my paper back to me, and said that Wamunrow will not agree regarding the paper and the money, and that he (Ramchunder) would not interfere in the matter. After telling me this, as he gave me back the paper, I returned to camp.

Who were present when Pandoooba spoke to you about paying the money for the paper, and also when Ramchunder spoke to you; and did any person see Pandoooba come to your place?—A few of the camp people know when Pandoooba came to my place, but no one was present when I and he were conversing together, as also when I and Ramchunder were conversing together; nor did I mention this to any one.

Have you any more paper in the handwriting of Wamunrow besides this; if you have, state the purport thereof; and did you meet the Josée again, after seeing him twice within the last 20 days; if so, at what place?—I saw him only twice; once on the day of Nursingjee's procession, and again when I went to get the paper back from him, and not since. I cannot tell now whether I have any more papers in the handwriting of Wamunrow besides the paper I gave Ramchunder Josee; I have only stated the circumstances regarding the paper on which I am questioned.

By the Resident.] What did you intend to do with the money you were to receive from Wamunrow?—It was my intention to receive the money, and to report the circumstance to the Resident; if the matter was not true, why would he have paid me the money?

How many days did the paper in question remain with Ramchunder Josee, and did you say anything to him on the subject?—The paper remained with him five days afterwards; as Wamunrow did not agree, he returned it to me; but I did not mention anything to him regarding my intention to report to the Sahib as above stated; this I had kept in my mind.

You have stated that two persons saw Pandoooba come to you; state who are those?—I cannot mention their names; they are camp people, and when required I will bring them; if there be any one of Baroda, I shall bring him also.

(signed) *Umrutrow Bulwunt*, himself.

C.

TRANSLATION of the Deposition on Oath of Premanund Sivelal; Religion, Hindoo; Caste, Visalar Banian; Profession, Service; in the employ of Hurree Bhugtee; aged 24 years; Inhabitant of Baroda; made before the Resident at Baroda, on 20th November 1851.

Question. On the 18th November 1851, when you came to the Cutcherry, at nine o'clock A.M., state what did you communicate to Soorujram, Native Agent?—*Answer.* I told him that a body of men had been collected together to concoct charges against him; that he should put no faith in the Sahib logues; that a rumour has been spread among the people here that the Sahib is to be removed. I had heard that some one was to go to his (Soorujram's) place with jewels, and desired him to be on the alert; that his caste people were going about to injure him, and though he may consider these people on his side, they are not so; that these people wanted me to join them in sending the ornaments to his place, but I flatly refused; that Chooneelal Lulloobhoy would tell him everything when he met him.

From whom did you hear the above, and what person was to bring the ornaments?—When Chooneelal Lulloobhoy was at Bhow Sahib's place, the latter told the former that Shumbooram was the person who was to take the ornaments to him; that in his (Chooneelal's) presence the ornaments will be put in the cart and taken away by Shumbooram, and that he should go and tell Baba Fudkey of it, who would inform the Sahib. As I heard this from Chooneelal Lulloobhoy, I communicated it to Soorujram.

What person came to ask you to interfere in this matter?—Bhow Sahib sent for me and asked me; but I refused him; on this he got angry with me.

Who are the persons who have collected together to concoct charges against the Native Agent?—All this is done by Bhow Tambeykur, as appears from what Chooneelal told me, and what Bhow Sahib said to me respecting the ornaments.

Did you and Chooneelal, after six, but before seven o'clock to-day, go to Soorujram's house; if so, what did you tell him, and who were present there?—Last night Chooneelal sent me word by his man, saying that as Soorujram is unwell, whether I would accompany him to see him. I replied that I would go with him the next morning, if he called me. This morning Chooneelal's man accordingly came, and said that I was called by his master to accompany him to see Soorujram; on this we both went to Soorujram's house, who was asleep. Chooneelal then sent word by his servant to say that we had come to inquire after his health. On this he sent for us, so we both went to his Cutcherry, where Soorujram was sleeping. Carkoon Heerachund was seated near him. We two sat down also; Chooneelal then observed, "that it is a great injustice to turn Bhanabhoy away, and to take Punthoojee's part; that Bhanabhoy is ill, and his vukeel had informed the Sahib of it. On this the Resident wrote a yad to the Durbar to take 'Hazir security' from him, and I stood security for him, but nothing clearly is done in the matter. From this it appears that two lacks of rupees, 'Nuzzerana,' must have been paid by Punthoojee, and for a trifling matter Bhow Sahib bears enmity against Bhanabhoy, and wishes to injure him; therefore he is not a good person, but being a guaranteed person, I shall inform you of everything that I hear. Bhow Sahib further said to me that he would send ornaments of the value of 15,000 rupees with Shumbooram to Soorujram's house, and that in my presence they would be put in a cart and taken by Shumbooram, and that as I am friends with Baba Fudkey, I should go and inform him of it, who will go and inform the Sahib. If these ornaments be lost, it will be his loss, but that I should do so much for him. I replied that, as a Sowcar and respectable person, I could not do such a thing; if this is to be done, let Shumbooram do it, but I cannot." After saying so, Chooneelal and I returned to our house; as I was seated, and having heard all that Chooneelal said, I have communicated the same.

As you were seated, did you hear Chooneelal tell the Native Agent that Shumbooram's peon had come to take Bhanabhoy to the "chubootra," and if so, state the particulars?—Chooneelal said that Shumbooram's peon had come to take Bhanabhoy to the "chubootra," and said that as his wife had the ornaments, to give them up, otherwise he would be taken to the "chubootra;" and as he was getting up, Chooneelal said that at "Bechrajee Mata" an "unoostan" has been placed over you through Trimbeck Shastree; therefore both the Sahib and himself should therefore be on the alert. That Shumbooram robs the people in the city greatly, and no one questions him.

Did Chooneelal at the time say anything about Bhanabhoy having been "Nuzzerana"?—Chooneelal said that when Bhanabhoy was entrusted with the shop, a portion of the "Nuzzerana" of one lack and 28,000 rupees claimed was given, which sum has been debited in the chopra.

The Native Agent says that Chooneelal told him if he told this matter to him after Bhow Sahib was removed from office, it would appear that he did it with the view of gaining the Sahib's favour; therefore he makes this known beforehand: is this true?—I forgot to mention this above; but Chooneelal did mention it to Soorujram.

What answer did Chooneelal make when Soorujram told him that he would mention it to
the

the Sahib?—Chooneelal said if he (Soorujram) wished to tell the Sahib of it, he might do so, but he himself could not do it.

(signed) *Premanund Sevelal,*
himself.

(True translation.)
(signed) M. Battye,
Assistant Resident.

— No. 63. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

THIS letter requires, I conceive, no immediate answer, and may be recorded for the present.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

15 January 1852.

— No. 64. —

Extract Bombay Political Consultation, December 1851.

No. 9,525-

No. 4,293 of 1851.

Extract from the Proceedings of Government in the General Department.

No. 1,093 of 1851.—General Department.

From *A. W. Ravenscroft*, Esq., Postmaster-General, to *J. G. Lumsden*, Esq.,
Secretary to Government.

Sir,

I HAVE the honour to transmit, for the purpose of being laid before the Right honourable the Governor in Council, the enclosed translation of a letter from Wamun Rao Dhonddeo Sattay, dated the 9th instant, complaining of the detention of his letters at the Baroda Post-office.

2. This detention arose in consequence of orders issued by Colonel Outram, the Resident, to the Post-office clerk at Baroda.

3. When the matter was brought to my notice, I wrote to Colonel Outram as follows, on the 4th instant, in reply to his demi-official communication:—

“Your note of the 29th of September has been forwarded to me by the Post-office clerk Ruttonjee, at Baroda, in which you say that I have officially required Ruttonjee, the Post-office clerk here, to stop any letters addressed to a certain person at this place, and to bring them to me, when the party whose address they bear will be required to open them in my presence. I am sorry to say that I cannot agree with you as to the propriety of this proceeding. The law, as at present constituted, rules that letters entrusted to the Post-office must be delivered only to those parties to whom they are addressed. The Post-office at Baroda, it is true, is situated in foreign territory; but it must be remembered that if the Post-office clerk is bound to levy postage, &c., by the postal laws, he is likewise bound, according to the same laws, not to deliver letters, except to those to whom they are addressed. I do not see how one part of the law can be enforced, and the other set aside to suit expediency. I have sent instruction to the Post-office clerk that letters for residents at Baroda must be delivered to the parties themselves.”

4. The following is a copy of my note to the Post-office clerk at Baroda, dated the 4th instant:—

“I have received your note of the 29th ultimo, and its enclosure, from Colonel Outram.

“I desire that you will act according to the law, and deliver all letters
560. 7 L 3 addressed

addressed to residents at Baroda to the parties themselves, unless they send to you instructions to the contrary."

5. I enclose, for the information of his Lordship in Council, copies of Colonel Outram's official letter on this subject, dated the 8th instant, and of my reply of the 15th idem.

6. I have the honour to request that you will have the goodness to obtain the decision of his Lordship in Council on this interference of the Resident's with the Post-office official at Baroda, which, under the circumstances stated, is in my opinion unjustifiable.

I have, &c.

(signed) *A. W. Ravenscroft*,
Postmaster-General.

Bombay, General Post Office,
23 October 1851.

SUBSTANCE of a Marathe Letter from Wamunrow Dhonddeo Sattay, Inhabitant of Baroda, to the Address of the Postmaster-General, dated 9 October 1851.

SEVEN or eight days ago a rumour prevailed in the town that my letters had been seized, but I thought at the time that, according to the postal laws, this could not be, and accordingly remained quiet. On the 8th October (Thursday) the Resident, Colonel Outram, sent for me, and he also called Ruttonjee, the post-office clerk, who had with him two letters posted by me for Bombay, and four others addressed to me from that place, one of which was directed to me through the post; the remaining three were received in packets addressed to some other parties, and which were shown to me; and I was desired by the Resident to give a receipt for the same in a book. I then asked Ruttonjee how he came to detain my letters. He replied, that he did it in accordance with the Colonel's orders. The Colonel also declared that they were detained by his orders, and desired me to sign the book, after which the letters would be made over to me; saying this, he made me sign. He then desired me to open the outward letters, and read the contents thereof to him. I then said there was no necessity for opening letters connected with household affairs, and that it was contrary to established rule; but the Resident would not listen, and compelled me to open all the letters. Some of the English and other letters enclosed in those intended for despatch were returned to me, but the letters themselves were kept by him. The letters that were received to my address were read at random, and were retained by the Resident. He then told me that further inquiries would be made to-morrow. I accordingly appeared before the Resident this day, who, having read some of them, returned to me a few, and obtained my receipt. Something wrong having happened to one of my letters which was sent to me under cover to a third party, I suspect that my letters are still detained. My reason for bringing this to your notice is, that it is the practice to entrust with all confidence the letters to the Government post-office, wherein, according to worldly affairs, all subjects relating to any discussions, debts, trade, gain, loss, and other like household business (which can or cannot be made to others) are treated; then can such letters (without any reasons of a political nature, or without any aggravated charge of revolt, theft, sedition being brought on oath against the party to whom the letter is addressed) be detained at a post-office by the Collector, Judge, Resident, or other functionaries of the place, according to postal laws? or can a post-office writer detain, without giving notice to the owner, letters both outward and inward, for a period of eight days? On this point I shall feel obliged by your furnishing me with an extract from the regulations for my information, because if letters of this description which pass through the post were to be dealt thus, a breach of faith would be committed towards those who entrust with all confidence their correspondence to the British post. If the authorities have this power granted them, it is necessary (in order to remove the stigma of breach of trust, and give warning to the public) that I and the people here should be made acquainted with the clause, if there be any written by Government. I was hitherto under the impression that it was not the wish of Government, by receiving letters in the post-office, to be guilty of a breach of trust; and I would be obliged by your informing me whether my letters were detained by your assent to the proposal either of the post-office clerk or of the Colonel, or how, in order that I may be enabled to petition the Bombay Government. Trusting that you will give full consideration to the facts above stated, and excuse me for having troubled you with the above details, and favour me with an early reply containing the information requested by me.

(signed) *Wamunrao Dhonddeo Sattay*.

Baroda, 9 October 1851.

(True translation.)

(signed) *A. W. Ravenscroft*,
Postmaster-General.

No. 3 of 1851.

From Lieutenant-Colonel *J. Outram*, C. B., Resident at Baroda, to
A. W. Ravenscroft, Esq., Postmaster-General, Bombay.

Secret Department.

Sir,

WITH reference to my demi-official letter to your address, dated 27th ultimo, I have the honour to inform you, that I this morning desired the Post-office clerk to bring to the Residency such letters as had been received in the interim to and from the suspected parties, who were in attendance.

2. The clerk then produced seven letters, four from, and two to, Bombay, and one directed to Poonah; the writers and receivers of which having acknowledged the same, they were delivered to them on their furnishing the clerk with the usual receipts. The parties were then requested to remove the outer cover of their letters; on doing which the four inward ones were found to contain letters to the address of the one suspected person, and two of the outward to have been written by the same person. The seventh, addressed to Poonah, contained only two letters, which did not bear the address of the suspected party, were returned to their owner.

Baroda Residency,
 8 October 1851.

I have, &c.
 (signed) *J. Outram*, Resident.

No. 1,060 of 1851.—General Department.

To Colonel *Outram*, C. B., Resident, Baroda.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 3, dated the 8th instant.

2. I regret that I am unable to approve of the course which you have adopted. I have already instructed the Post-office clerk at Baroda to be guided by the Post-office laws in the delivery of letters addressed to residents at that station; and if he does not do so, he must suffer the consequence.

Bombay, General Post-office,
 15 October 1851.

I have, &c.
 (signed) *A. W. Ravenscroft*,
 Postmaster-General.

(True copies.)

(signed) *A. W. Ravenscroft*, Postmaster-General.

MINUTE by the Honourable Board.

THIS correspondence may be referred to the Political Department, in order that Colonel *Outram*'s explanation of the statement here made by the Postmaster-general may be obtained, and the result submitted to the General Department.

4 November 1851.

(signed) *D. A. Blane*.
A. Bell.

RESOLUTION, 20th November 1851.

ORDERED, That copy of a letter from the Postmaster-general (No. 1,093), dated the 23d ultimo, and of its accompaniments, with the Honourable Board's minute thereon, be transferred to the Political Department, for the purpose indicated in the latter document.

(True extract.)

(signed) *J. G. Lumsden*,
 Secretary to Government.

—No. 65.—

No. 9,526. MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

THIS is under consideration in the Political Department; the General Department may be so informed for Mr. Ravenscroft's information.

25 November 1851.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

—No. 66.—

No. 5,148 of 1851.

No. 9,527.

RESOLUTION of Government in the Political Department.

ORDERED, That the General Department be informed, for communication to the Postmaster-general, that the subject of the transfer from that department, dated the 20th ultimo, No. 4,293, is under consideration in the Political Department.

Bombay Castle, 5 December 1851.

(signed) *A. Malet,*
Chief Secretary.

—No. 67.—

MINUTE by the Right Honourable the Governor, subscribed to by the Board.

WITH reference to my minute of the 25th November, on a transfer from the General Department of a complaint by the Postmaster-general, I propose to inform the Resident at Baroda that, unless in cases of emergency, in which the interests of the State may compel him to act at once on his own responsibility, he is on no account to intercept letters entrusted to the post, unless by direct authority from Government; and in all exceptional cases immediately to report his reasons for having incurred the heavy responsibility by which such a measure must be attended.

20 January 1852.

(signed) *Falkland.*
J. Grey.
D. A. Blane.
A. Bell.

—No. 68.—

No. 463 of 1852.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *J. M. Davies*, Esq., Resident at Baroda.

Sir,

WITH reference to the letter from the Postmaster-general to the address of your predecessor, dated the 4th October last, relative to the detention by his order of letters at the Post-office at Baroda, I am directed by the Right honourable the Governor in Council to intimate to you, for your future guidance, that, unless in cases of emergency, in which the interests of the State may compel you to act at once on your own responsibility, you are on no account, without direct authority from Government, to intercept letters entrusted to the post; and in all exceptional cases it is the desire of Government that you immediately report your reasons for having incurred the heavy responsibility by which such a dangerous measure must be attended.

I have, &c.

Bombay Castle, 29 January 1852.

(signed) *A. Malet,*
Chief Secretary.

(True extract.)

(signed) *A. Malet*, Chief Secretary.

28.

Collection No. 2, of No. 15, Bombay Political Department,
Letter from, dated 3d February 1852.

Case of Mr. *Marston*, a Junior Assistant in the Secretariat ; Dismissal of.

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10.	Chief Secretary	General Paymaster	- - Informs him that Mr. Marston has been dismissed from the Secretariat, and declared disqualified for re-employment under Government.	Nov. 18 4,938.	- - -	1201
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			The same to the Judicial, General, and Military Departments.	Nov. 18 4,943. 4,944. 4,945.		
13.	Chief Secretary	Mr. Marston -	- - Informs him that he is dismissed from his situation, and that he is disqualified for re-employment under Government.	Nov. 18 4,946.	- - -	1204
14.	Resolution : The	different Departments, viz. Revenue and Financial, Judicial, General and Military, and Marine, informed that Krishna Rao Luxmon is not to be re-employed in the Secretariat.		Nov. 18 4,947. 4,948. 4,949. 4,950.	- - -	1204
15.	Mr. Marston -	Chief Secretary -	- - Forwards an application for Submission to the Right Honourable the Governor in Council.	Dec. 2	- - -	1204
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17.	Chief Secretary	Mr. Marston -	In reply to his Letter of the 2d December -	Dec. 19 5,362.	- - -	1205

Bombay Castle, }
3 February 1852. }

(signed) A. Malet,
Chief Secretary.

— No. 1. —

MR. MARSTON, a clerk in the Secretariat, is called up, and his box is brought in and examined; he has no objection to the papers in it being read; they are of no consequence, except that one Mahratta paper is found, which is read out by Venayek Wassoodoojee, and translated; after which Mr. Marston is examined.

(signed) *A. Malet,*
Chief Secretary.

Deposition of
Mr. Marston.

Mr. Marston says, "Raojee Bhasker is a person I have been acquainted with ever since I came to Bombay, about the beginning of 1847. I have the tuition of his son, about 12 or 13 years old, which I have conducted since the time I was first acquainted with his father, whom I first knew at an inquest, Raojee's shigrain having run over a Parsee, and I was one of the jury. He has another little boy. I do not know what service Raojee is in, but I believe he is a private gentleman. He lives in Girgaum Road, beyond the Chiree Bazar. I go there in the morning, about an hour before I go to office; I have never been at his house at any other time. We have a room where the boy studies. I used to attend for two hours; he paid me from 15 to 10 rupees. I now merely revise the boy's lessons, and at times he makes me a small present. I never meet other natives to converse with at his house.

"It was through his influence that I obtained the money from him. I believe he got the money from some other person; it was 400 rupees, including interest and all. I usually paid the instalments to him. I do not know how the other names came into the receipt; I believe they are connected with him in it, but he is the party through whom I got it; he made me understand that Bappoojee Gopal was the creditor. The bond is made out in his (Bappoojee Gopal's) name. I forget who were the witnesses. I mortgaged my property for the sum. I do not know where Bappoojee lives; I know him, and have often spoke to him relative to the tuition of his son, whom I used to give lessons to in composition before he went to Sind. I do not know who Dajeeba Dhondeo Lathe, the other person mentioned in the receipt, is; I have never met him, and know nothing of him.

"I know nothing of the connexion of these persons with Baroda affairs. I borrowed money, and have paid 120 rupees of it; a sufficient evidence of the nature of my connexion with them. I have only learnt from people's conversation and the papers that those persons are connected with Baroda affairs; I did not know them before.

"I know nothing of Govind Rao Rorea, the Gaekwar's vukeel; his name is quite strange to me; I have never seen him; I have never been to his house, nor met him at that of a third party, or my own. I know nothing at all about him.

"I left the office to-day with Krishna Rao, to show me Mr. Muspratt's office, that I might apply for a situation in the Savings Bank. Krishna Rao is a nephew of Rowjee Bhaskur.

"We went direct to Mr. Muspratt's, whom I saw, and made my application to. He told me I was too late. I took Krishna Rao as being acquainted with him. I never was in the Castle before in my life.

"I saw also Sudasheo Pritherajee, and asked him if the situation was vacant. We went nowhere else, spoke to no one else, and saw no one else. I was, I believe, about five minutes away."

(signed) *D. Marston.*

Taken before me, the 5th November 1851.

(signed) *A. Malet.*

To Azum Marston Sahib.

After compliments. An amount of debt is to be received from you, for the liquidation of which you have assigned an instalment. Accordingly, for one monthly instalment, Rajeshree Ramchundru Seoram Bodus, on behalf of Rajeshree Raojee Bhaskerjee, brought and gave 30 Company's rupees (thirty), which have been credited to your account. Dated Bombay, Tuesday, the 1st Shrawun Vud, Sumvut 1907 : 12 August 1851, Christian year.

This is what was to be written.

(signed) *Bappoojee Gopal Kamethkur,*
In the hand of Dajee Dhondeo Sathay,
in the service of Shreemut Rajeshree
Venayek Gungadhur Shastree.

(True Translation.)

(signed) A. Malet, Chief Secretary.

— No. 2. —

Krishna Luxmon, is called in, and Examined.

I AM Raojee Bhaskur's nephew. He has three sons: one is about 15 or 16, another 10 or 11, and the third is 2 or 3 years. The two eldest go to the Education Society. Mr. Marston came in the morning to teach the eldest, Jugonnath Sunkersett's son-in-law; he stays about an hour, and began about five or six years ago. I do not speak with certainty, as I live separately.

Mahdoo Rao Nillajee, the military paymaster's head clerk, introduced Mr. Marston to Raojee Bhaskur, and so we became acquainted. He remained two or three years in the Military Board Office after becoming acquainted with him, and then came here. I first became acquainted with him when he came to my uncle's house to teach his son. I had nothing to do with persuading him to leave the Military Board Office, and come to this.

I live opposite Raojee Bhaskerjee. I do not know whether Mr. Marston is acquainted with Dajee Dhondeo Sathe; I do not know Dajee Dhondeo Sathe; I do not know if Mr. Marston knows Bappoojee Gopal Kamethkur, nor do I know him; I do not know Ramchunder Sheoram.

My uncle never lent money to Mr. Marston. I do not know anything about Mr. Marston paying anything to anybody. My uncle has a pension from the Gaekwar; I do not know if it is continued since his Highness Syajee's death. I do not know the amount, nor what he got it for; he came here from Baroda in 1831 or 1832. I do not know what employ he had had under the Gaekwar. He got leave for his daughter's marriage, and came to Bombay; he was in the Post-office at Baroda, and was dismissed by Government because Mr. Tidy made enmity on him. After he lost that situation he stayed two years at home; and when the Governor came to Baroda, the Gaekwar sent for him and gave him a situation. I was not in the Residency department, but my brother Narroyen Rao Lushkuree was. I used to come and write. I was in employ under you in Pitlad. I came to Bombay when that district was restored, and about four months after got employ in the Political Department, on presenting the certificate you gave me to Mr. Willoughby.

Mr. Marston just now called me, and asked me the name of the head clerk in the General Paymaster's office, that he might apply for a situation. I told him, and he gave me a note, which I gave to him; and Sudaseo Poothrajee told me he did not exactly know about the situation, and he wrote and gave me a closed chittee to Mr. Marston, which I gave to him; he then wrote his application, and desired me to show him Mr. Muspratt's office. I went and showed it him, and Mr. Muspratt said he was too late. We went straight there, and came also straight back here; we did not speak to any one else. I do not know Venayek Gungadhur Shastree.

I do not know Govind Rao Rorea; when I was in Baroda, I knew their names, but I am not acquainted with him or his brother.

I merely know Nursoo Punt's name, but am not acquainted with him. The only acquaintance I have with Mr. Marston is what I have stated above.

Crushna Rao Luxamonjee.

Taken before me, the 5th day of November 1851.

(signed) *A. Malet.*

Witness,

(signed) *R. Hughes Thomas.*

Nos. 1 & 2.

MEMORANDUM by the Chief Secretary.

BAPPOOJEE GOPAL KAMETKUR is mentioned in the 16th para. of Colonel Outram's letter, No. 4, date 13th October last, as the person who directed most of the intercepted letters, and wrote one, No. 7, of packet 3; but which was not translated, as it only related to the Shastree's private affairs.

Dajee Dhondeo Lathee is the person who sent the transcript of the minutes to his brother, Wamun Dhondeo Lathe, at Baroda.

Nos. 1 & 2.

MEMORANDUM by the Chief Secretary.

MR. MARSTON and Krishna Rao are suspended from employment.

The latter begs that full inquiries may be made before award is given.

— No. 3. —

From Mr. *Daniel Marston* to *A. Malet*, Esq., Chief Secretary to the Government of Bombay.

Sir,

I BEG respectfully to request the favour of your being pleased to annex the following to my deposition of yesterday's date, for the favourable consideration of the Right honourable the Governor in Council.

The ordeal I had undergone, and the circumstance of my present suspension, induces me respectfully to observe that Mr. Thomas, the uncovenanted assistant, as well as those persons who are immediately employed under him, can bear testimony to the fact, that the nature of my duties were such as to debar me from having any access whatever to the perusal of either a single newly-issued minute, or a draft letter; my occupation having been simply confined to endorsing of letters received, and the bringing up of the index of Court's replies from the year 1842.

On the other hand, I would further respectfully observe, that it is clearly apparent that, considering the confidence wanting in the department, from the recent startling discoveries, it is but fair that the parties through whose hands the minutes, &c. had immediately passed, and who only could be reasonably held responsible, should in the first instance be strictly scrutinized and dealt with as circumstances may admit of. Such a course might probably lead to the detection of the guilty individual or individuals, and thus be the means of saving innocent people the trouble and degradation that I for one had unfortunately been subjected to, consequent on an application I yesterday submitted to Mr. Muspratt for a situation in the Government Savings Bank of Bombay.

I remain, &c.

Bombay, 6 November 1851.

(signed) *Daniel Marston.*

— No. 4. —

6 November.—Mr. *Marston* recalled, and Examined.

I PAID the money alluded to in the receipt into Raojee Bhaskur's own hands myself, just as I had finished revising his son's lesson one morning. I did not get a receipt from him, as I trusted him, as I had been so long employed by him. The receipt I obtained from him about the next day or so.

I passed a bond for the debt to Gopal, but I believe that Raojee Bhaskur has it.

I think I got another receipt besides this for 30 rupees, but I do not know where it is. I got no other receipts for the other two instalments of 30 rupees each which I paid. I did not want the receipt at all, but Raojee said I had better take it for my own satisfaction. I know very little of Bappoojee Gopal Kametkur, and what he ever conversed with me about was his son's education.

I do not know why Dajee Dhondeo Sathe required the receipt; my dealings were with Raojee.

When I first came here I was in the Military Board Office. I borrowed 130 rupees from Raojee Bhaskur, and repaid it from the salary for the tuition of his son.

I never had any other pecuniary transactions; but I recommended Mr. Faulkner* to him, and he lent him 400 rupees on my word; and Mr. Faulkner afterwards received another 100 rupees from him which I knew nothing about. Raojee therefore lost all this money, the person who was security, whose name I forget, having gone through the Insolvent Court; I do not know whether the security was a Hindoo or Portuguese, or what.

I scarcely knew Mr. Faulkner, but he so earnestly begged me; and thinking him a respectable person, I introduced him.

I was willing to sacrifice the pay for tuition of the children and go to Mahableshwar, as I was anxious to see the place.

I was at Bhaskur's three or four days ago on account of the holidays. I have not been there since.

I do not know whether Mahdoo Rao Nilloba introduced me to Rowjee before or after the inquest I have above adverted to, as the time when an intimacy commenced.

Mahdoo Rao Nilloba introduced me to Bhaskur; I do not know why; I had no particular friendship with him, but had picked up an acquaintance, as I sometimes become acquainted with persons on the way to office, who may accost me. I generally find natives, principally Hindoos, very officious, asking me where I came from, and other trifling questions; this has been the case ever since I have been at Bombay; they ask about the office I serve in, and tell me about theirs.

I left the Quartermaster-general's Department, Madras Presidency, to better myself, and got leave for that purpose about five years ago. I reached this in October 1846, and immediately got employment in the Military Board Office, in three days after a trial of my qualifications, and came to this office on the 17th June 1849 to improve my circumstances, as the pay was 10 rupees more here than I got in the Board Office.

Ramchunder Sheoram Bhotus is, I believe, a servant of Raojee Bhaskur, an old man.

I am not acquainted with Mahratta, nor did I know what was in the receipt up to yesterday, when it was translated; I was told it was a receipt, and believed it to be so. I did not trouble myself about it.

I received the 400 rupees at one payment; I think, deducting the interest, it was something above 350 rupees; I obtained it a long time ago, but I can't say exactly. I think it was at the latter end of last year, or the beginning of this; none was sent to me at Mahableshwar. With reference to what is stated in the newspapers, that the minutes sent to Baroda were recent ones, I have in my letter requested that the copiers of such may be questioned, or the parties through whose hands they may have passed. I am aware I copied a minute on Krishna Rao

* A clerk in the Political Department, who went through the Insolvent Court, and then absconded.

Rao Witul's case at Mahableshwar; I did not know that it was in connexion with this, that these inquiries were being made. I am not aware to this moment what it is all about, and am very anxious to get at the bottom of it.

(signed) *D. Marston.*

Taken before me, this 6th day November 1851.

(signed) *A. Malet.*

Witness,
(signed) *R. Hughes Thomas.*

Note.—Several portions of this were given with great hesitation, particularly that about the time of the loan, which he said might have been February, but was not certain.

— No. 5. —

MEMORANDUM.

1. THE Chief Secretary begs to state to the Honourable Board, that on its first coming to his knowledge that intelligence had been communicated to Baroda from the Secretariat, he lost no time in endeavouring to discover the delinquent, and to this end requested his assistant, Mr. R. H. Thomas, to watch, and to place others in whom he might specially confide to watch the proceedings in the office, and report immediately anything suspicious.

2. A few days since Mr. Thomas was informed that Mr. D. Marston, a junior assistant, in the receipt of 70 rupees per mensem, frequented the house of Raojee Bhaskur, formerly in the Baroda post-office, but dismissed by Government from the public service in disgrace in the year 1830 for intercepting and keeping back numerous letters, and being guilty of other disgraceful conduct; but who is now, the Chief Secretary has strong reasons for believing, in the receipt of a pension or pay from the Baroda Durbar of 150 rupees per mensem.*

3. Mr. Thomas also found that Mr. Marston was on a footing of particular intimacy with a sectioner named Krishna Rao Luxmow, a nephew of Raojee Bhaskur.

4. These circumstances, added to the fact that Mr. Marston, as reported in the memo. of the 21st ultimo, had copied a great portion of the Right honourable the Governor's Minute in Krishna Rao Witul's case, induced Mr. Thomas to keep a strict watch on him; and on the 5th instant it was reported that Mr. Marston had, after writing and closing a letter of the usual official size, left the office with Krishna Rao Luxmun without leave; the direction they took after leaving the office could not be ascertained, but on their return, in about a quarter of an hour, they were called up and examined separately by the Chief Secretary; their examinations are appended to the memo.

5. There is nothing in the statements to throw any doubt on the circumstances therein related, as to the letter written by Mr. Marston before leaving the office, or on their visit to the general paymaster to apply for a situation; but particular attention is requested to the Maratha letter to Mr. Marston from Bappoojee Gopal Kametkur, signed in that person's name by Dajee Dhondeo Sathe.

6. First, he would remark the persons with whom Mr. Marston appears to be connected in the transaction: "Raojee Bhaskur," a man of bad character, in the receipt of pay from the Gaekwar; "Bappoojee Khametkur," one of the writers of the letters to Baroda, intercepted by Colonel Outram; "Dajee Dhondeo Sathe," the man in whose letter to his brother, Wamun Rao Dhondeo Sathe,

* The proceedings, copy of which forms a separate enclosure, marked (A.), were reported to Government by Mr. Williams, the Resident at Baroda, on the 23d January 1830, and approved by Government under date 16th February 1830.

Sathe, the translation of the minute of the members of Government on Krishna Rao Witul's case were found.

7. It seems from Mr. Marston's statement that he borrowed 400 rupees through Raojee Bhaskur from Bappoojee Gopal Kametkur; the time of this transaction is withheld, though it cannot be doubted that it must be perfectly well known to Mr. Marston; he admitted once that it might have been so late as February last, but it will be remembered that Mr. Marston was in the Chief Secretary's establishment taken to the Hills on the 14th March last, and it is not improbable that this sum was advanced nearly about that time; it will also be recollected the Right honourable the Governor's first minute on Krishna Rao Witul's case was written at the Hills, and that the greater part of it was copied by this very man.

8. It is worthy of notice that the note intimating to Mr. Marston the payment of money on his account, does not specify it as having been made by him, but that Raojee Bhaskur had paid it on his account. It is certainly possible that Mr. Marston may have paid this money to Raojee Bhaskur, but there is no proof of this; and he says he did not obtain any acknowledgment from Bhaskur of the receipt of this money, and also that he was not aware of the contents of the Mahratta note until it was translated before him in the Chief Secretary's presence.

9. The Chief Secretary submits, that although there is no positive proof that the money in question was received as a bribe, still the transaction, coupled with the facts that information concerning work on which Mr. Marston was employed has been communicated to persons at Baroda, and that he is proved by the note discovered in his box to be in communication with Raojee Bhaskur, Bappoojee Gopal Kametkur, and Dajee Dhondeo Sathe, the latter of whom transmitted the translation of the minutes to Baroda, there is ground for suspicion sufficient to render him an improper person to remain in Government employ; he therefore requests permission to dismiss him; he is at present under suspension.

10. With regard to Krishna Rao Luxmun, the Chief Secretary submits that, with the exception of his intimacy with Mr. Marston, and his being the nephew of Raojee Bhaskur, nothing has transpired to fix such suspicion on him as to induce him to recommend his dismissal in such a manner as to render it improbable that he could find employment elsewhere; the Chief Secretary therefore proposes, with the permission of the Honourable Board, to relieve him from suspension, and to inform him that he must leave the office, and will not be re-employed in the Secretariat.

11. With reference to para. 5 of the Right honourable the Governor's minute, the Chief Secretary would beg leave to observe, that it must ever be very difficult for the most zealous and faithful servant of Government, a character fully merited by his assistant, Mr. Thomas, to guard against information being obtained from the Secretariat in matters not conducted in the Secret Department, by persons with unlimited means of corruption; he will endeavour, however, as suggested at the close of para. 2 of the Honourable Mr. Blane's Minute, and by other arrangements, by which all matters connected with Baroda will be specially separated from the other business of the office, to guard as much as possible against such occurrences in future.

Bombay, 7 November 1851.

(signed) *A. Malet*,
Chief Secretary.

(A.)

PROCEEDINGS alluded to in Paragraph 2 of Chief Secretary's Memorandum, dated 7 November 1851.

To *Thomas Williamson*, Esq., Secretary with the Honourable the Governor, Ahmedabad.

Sir,

IN handing up the enclosed copy of a letter from my assistant, Mr. Malet, regarding the conduct of two purvoes in the post-office under his charge, I have the honour to request that I may be authorized to dismiss them from the service of Government in the manner

prescribed by the Regulations, having seen all the evidence on the former occasion alluded to; and conceiving the other cases adduced of their culpability too strong to admit of any other course of proceeding, I beg also that Mr. Malet may be authorized to entertain a clerk for the duties of the post-office, which are at Baroda rather responsible, especially under present circumstances.

Camp, Ahmedabad,
23 January 1830.

I have, &c.
(signed) *James Williams*,
Resident.

(A.)

No. 1 of 1830.

To *James Williams*, Esq., Resident, &c. &c. &c.

Sir,

I HAVE the honour to report, for your information, the conduct of two purvoes employed in the duties of the post-office, and to request your instructions on the subject.

On the 6th December a complaint was made by Captain Penley of an overcharge in postage (and to insertion in his bill of a number of letters never received by him) during his residence at Kurree. The proofs of these accusations being fully made, I suspended the younger purvoo, Balcrustna, from his duties in the office, which I entrusted to the care of Mr. Tidy, with instructions to employ the older purvoo, Bhaskur, in making up the accounts under his superintendence. On the morning of the 14th, the writer brought me the book containing the record of all the outward letters received, with their postage, and showed me where alterations had been made in the sums entered by him. Of this act he accused Balcrustna, to whom he had entrusted the book the day before, while particularly engaged on other writings. The alterations were very evident, the ink being much lighter, and the shape of the figures different from any made by him; and I have no doubt that the intent was to ruin him and procure the re-admission of the suspended purvoo. On examination I discovered that only the original sum had been charged by Mr. Tidy on the letters, and placed to the credit of the department. On the night following this discovery the post-office was broken into and this record book stolen. Those whom the loss of this would alone benefit are the two purvoes, Bhasker and Balcrustna, on whom, of course, my suspicions fall; but from the impossibility of proof, I am unable to give information of the parties actually engaged in the robbery. Since this, Mr. Tidy has discovered a number of letters, amounting to 108, which have never been either returned to the places whence they were despatched or delivered to those persons to whom they were addressed. Many of the old records of the office, from want of care, have been almost entirely destroyed.

I must, in conclusion, recall to your recollection that very serious charges have been before pressed against these very persons, which have failed from want of proof; particularly one made since I have been in charge of the office, concerning the opening of letters, which, although strong suspicions were entertained, could not, from a defective link in the chain of evidence, be brought home.

Post Office, Baroda Residency,
20 January 1830.

I have, &c.
(signed) *A. Malet*,
Assistant Resident in charge Post Office.

(True Copy.)

(signed) *James Williams*, Resident.

(A.)

EXTRACT Paras. 1 & 2, from Government Letter to the Resident at Baroda, dated
16 February, No. 374 of 1830.

1. I AM directed to acknowledge the receipt of your letter of the 23d ultimo, with its enclosure, and to acquaint you that the Honourable the Governor in Council is pleased to dismiss the two purvoes of the Baroda Post-office, Bhasker and Balcrustna, from their situations, and has issued a circular prohibiting their employment in the public service.

2. The Governor in Council is pleased to authorize their subscriptions to Warden's Official Fund, to be repaid to them, with interest thereon, at six per cent. per annum.

(signed) *J. P. Willoughby*,
Acting Secretary to Government.

— No. 6. —

MINUTE by the Right honourable the Governor.

I WOULD sanction the measures proposed to be taken by the Chief Secretary.
It is to be hoped that such revelations of the proceedings of the office as have lately occurred will not happen again.

7 November 1851.

(signed) *Falkland.*

— No. 7. —

MINUTE by the Honourable Mr. *Blane*.

THE evidence against Mr. Marston appears to me to be quite conclusive, and his detection a matter for very great satisfaction.

8 November 1851.

(signed) *D. A. Blane.*

— No. 8. —

MINUTE by the Honourable Mr. *Bell*.

THE conduct of Mr. Marston is so highly suspicious, that he should no longer be employed in the Secretariate.

8 November 1851.

(signed) *A. Bell.*

— No. 9. —

FURTHER MINUTE by the Right honourable the Governor, concurred in by the Board.

I CONCLUDE from the Minutes of my colleagues, that they, as well as myself, approve of the measures proposed to be taken by the Chief Secretary, which may at once be carried out.

9 November 1851.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

— No. 10. —

No. 4938 of 1851.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to the General Paymaster, Bombay.

Sir,

I AM directed to inform you, that Mr. Daniel Marston, a junior* assistant in the Political and Secret Departments of the Secretariate, has been dismissed from his situation by order of the Right honourable the Governor in Council, and declared disqualified for re-employment under Government in any capacity whatever.

* In the receipt of 70 rupees per mensem.

I have, &c.

Bombay Castle,
18 November 1851.(signed) *A. Malet*,
Chief Secretary.

— No. 11. —

CIRCULAR.

No. 4,941 of 1851.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to the
Commissioner in Sind.

Sir,

Political Depart-
ment.

1. MR. DANIEL MARSTON (an Indo-Briton), a junior assistant in the Political and Secret Departments of the Secretariate, has been dismissed from his situation by order of the Right honourable the Governor in Council, and declared incapable for re-employment under Government in any capacity whatever.

2. You are requested to communicate this resolution of Government to all departments subordinate to you.

I have, &c.

(signed) *A. Malet*,

Bombay Castle, 18 November 1851.

Chief Secretary.

The same to the following Authorities :—

POLITICAL :

The Commissioner at Sattara.
The Resident at Baroda.
The Resident in the Persian Gulf.
The Political Agent in Kattywar.
The Political Agent in the Mahee Kanta.
The Political Agent in the Rewa Kanta.
The Political Agent in the Southern Mahratta country.
The Political Agent in Kutch.
The Political Agent at Aden.
The Agent for the Right Honourable the Governor at Surat.
The Agent for Sirdars in the Deccan.
The Political Superintendent of Pahlumpoor.
The Political Superintendent of Sawunt Waree.
The Political Superintendent of Kolhapoor.
To Major Hamerson, Her Majesty's Consul and Honourable Company's Agent in the dominions of his Highness the Imaum of Muscat, Zanzibar.

REVENUE :

Revenue Commissioner, Northern Division.
Revenue Commissioner, Southern Division.
Collector of Tanna.
Collector of Surat.
Collector of Broach.
Collector of Ahmedabad.
Collector of Kaira.
Collector of Khandesh.
Collector of Poona.
Collector of Ahmednuggur.
Collector of Sholapoor.
Collector of Belgaum.
Collector of Dharwar.
Collector of Rutnagherry.
Collector of Land Revenue, Bombay.
Collector of Customs, Bombay.
Collector of Continental Customs and Excise.
Agent at Colaba.
Superintendent of the Revenue Survey and Assessment in the Southern Mahratta country.
Superintendent of the Revenue Survey and Assessment, Ahmednuggur.
Superintendent of the Revenue Survey and Assessment, Poona.
The Chief Inam Commissioner.
Assistant to ditto, in charge of Poona Duftur.
Opium Agent, Bombay.
Claim Commissioner, Southern Division.
Conservator of Forests.

FINANCIAL :

FINANCIAL :

Accountant-General.
Mint Master.
Mint Committee.
Sub-Treasurer.
Assay Master.
Secretary to the Government Savings Bank.

MILITARY :

The Adjutant-General of the Army.
The Commissary-General.
The Quartermaster-General of the Army.
The Military Board.
The Military Accountant.
The Chief Engineer.
The Deputy Adjutant-General of Her Majesty's Forces.
The Clothing Board.
The Town Major.
The Military Auditor-General of the Army.
The Military Paymaster at the Presidency.
The Superintendent of Pensions.
The Remount Agent.
The Judge Advocate-General.
The Agent for the Manufacture of Gun Carriages.
The Agent for the Manufacture of Gunpowder.
The Agent for Clothing the Army.
The Barrack Master.
The Principal Commissary of Ordnance.
The Paymaster Poona Division of the Army.
The Paymaster Northern Division of the Army.
The Paymaster Southern Division of the Army.
Medical Board.

JUDICIAL :

Judge and Session Judge of Surat.
Judge and Session Judge of Ahmedabad.
Judge and Session Judge of Konkun.
Judge and Session Judge of Poona.
Judge and Session Judge of Ahmednuggur.
Judge and Session Judge of Sholapoor.
Judge and Session Judge of Dharwar.
Judge and Session Judge of Khandesh.
Register of the Sudder Adawlut.
Senior Magistrate of Police.
Superintendent of Stamps.
Register and Prothonotary of the Supreme Court.
Sheriff of Bombay.
Coroner of Bombay.
Common Assignee.
Clerk of the Crown.
Clerk of Her Majesty's Justices of the Peace.
Clerk of the Court of Requests.
Clerk to the Insolvent Debtors' Court.
President of the Committee for the Management of the House of Correction.

GENERAL :

Civil Auditor.
General Paymaster.
Superintendent of Stationery.
Postmaster-General.

MARINE :

The Commander-in-Chief of the Indian Navy.
The Indian Naval Storekeeper.
The Master Attendant.

(signed) A. Malet,
Chief Secretary.

Bombay Castle, 18 November 1851.

— No. 12. —

RESOLUTION of Government in the Political Department, dated the
18th November 1851.

No. 4,942.

Resolved, That a copy of the above circular be transferred to the Revenue and Financial Departments of the Secretariate, for information and guidance, with an intimation that the same has been communicated to the heads of all departments subordinate thereto.

(signed) *A. Malet*, Chief Secretary.

Nos. 4,943 to 4,945.

(THE same to the Judicial, General, Military, and Marine Departments, with alteration.)

(signed) *A. Malet*, Chief Secretary.

— No. 13. —

No. 4,946 of 1851.—Political Department.

To Mr. *D. Marston*, Bombay.

Sir,

I AM directed by the Right honourable the Governor in Council to inform you that you are dismissed from your situation of a junior assistant in the Secretariate, and that you are disqualified for re-employment under Government.

(signed) *A. Malet*,

Bombay Castle, 18 November 1851.

Chief Secretary.

— No. 14. —

No. 4,947 of 1851.

RESOLUTION of Government in the Political Department, dated the
18th November 1851.

Resolved, That an intimation be made to the Revenue and Financial Departments, that it has been determined by Government that Krishna Rao Luxmon, lately employed as a sectioner in the Political Department, shall not be re-employed in the Secretariate in any capacity whatever.

(signed) *A. Malet*,

Bombay Castle, 18 November 1851.

Chief Secretary.

Nos. 4,948 to 4,950 of 1851.

(THE same to the Judicial, General, Military, and Marine Departments, with alteration.)

(signed) *A. Malet*, Chief Secretary.

— No. 15. —

From *D. Marston* to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I BEG respectfully to request the favour of your being pleased to submit, for the favourable consideration of the Right honourable the Governor in Council, the annexed application to his Lordship's address of this date.

I am, &c.

Bombay, 2 December 1851.

(signed) *D. Marston*.

To

To the Right honourable Lord Viscount *Falkland*, G. C. H., Governor and President in Council, Bombay.

My Lord,

IN respectfully addressing your Lordship, I humbly beg you will favourably take my unfortunate case into your humane consideration, as a statement of my grievances, unprecedented, may meet with your sympathy.

My Lord, on the 5th ultimo, I was called upon by Mr. Thomas to deliver my box, and on examination of the same a receipt for 30 rupees, given me by Rowjee Bhaskerjee, through whose influence I obtained a loan, was found. On this simple document alone has my dismissal been caused.

Situated as I am with a family and three children, and on a monthly salary of 70 rupees, it must appear evident to your Lordship, that one in my situation must borrow. But the charge of my having connected myself with the cause of dismissal is as unfair as it is unjust, and I appeal to your Lordship as the head of the administration, to do me that justice which my case deserves.

Dismissal from my situation on the mere plea of suspicion, in these hard times, and with a wife and three children looking to me for their daily bread, is, my Lord, extremely hard; and how much harder does it not render my situation in life when the doors of earning a livelihood is for ever shut against me?

There have been charges which were actually proved against subordinates in Government employ, and though fined and dismissed from their situations, were permitted the benefit of re-admissions into other Government offices.

I have been in Government employ for a period of ten years, and have all along acted with fidelity in the discharge of my duties, to the utmost satisfaction of my respective employers.

Under the foregoing circumstances, I humbly appeal to your Lordship's humane consideration; and in doing so, respectfully solicit, that commiserating myself and helpless family, your Lordship in Council will be graciously pleased to direct the cancel of the circular that has been issued against me, in order to enable me to seek employment in any office out of the Secretariate.

For which act of grace I shall, my Lord, feel ever grateful.

Bombay, 2 December 1851.

I am, &c.
(signed) *Daniel Marston.*

— No. 16. —

MINUTE by the Right honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

THIS application cannot be complied with.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

10 December 1851.

— No. 17. —

No. 5362 of 1851.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to
Mr. *D. Marston*, Bombay.

Sir,

IN reply to your letter, dated the 2d instant, applying for the removal of the prohibition against your future employment in the service of Government, I am directed by the Right honourable the Governor in Council to inform you that your request cannot be complied with.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 19 December 1851.

(True Extract.)

(signed) *A. Malet*, Chief Secretary.

Collection No. 1 of No. 27, Bombay Political Department,
Letter from, dated 4th March 1852.

Memorial from Mr. *Marston* to the Address of the Honourable Court.

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Bombay Castle, }
4 March 1852. }

(signed) *A. Malet,*
Chief Secretary.

— No. 1. —

EXTRACT Bombay Political Consultation, March 1852.

From Mr. *Daniel Marston* to *A. Malet*, Esq., Chief Secretary to the Government of Bombay.

Sir,

I BEG respectfully to request the favour of your being pleased, with the permission of the Right honourable the Governor in Council, to forward to its destination the accompanying memorial (in triplicate) for the favourable consideration and benign disposal of the Honourable the Court of Directors.

I am, &c.

Bombay, 3 February 1852.

(signed) *Daniel Marston.*

(Duplicate.)

To the Honourable the Court of Directors for the Affairs of the Honourable the East India Company, London.

The most respectful Memorial of *D. Marston*, late a Junior Assistant in the Political and Secret Departments of the Secretariate, Bombay,

Most respectfully sheweth,

1. THAT your memorialist obtained employment as a junior assistant in the Bombay Secretariate on the 1st June 1849, on a salary of 70 rupees per mensem, being an increase of 10 rupees to his former salary, viz., 60 rupees per mensem, in the Bombay Military Board Office.

2. On the afternoon of the 5th of November 1851, your memorialist had occasion to apply to Mr. Muspratt, the General Paymaster of this Presidency, for a situation of higher emolument in the Bombay savings bank, and as he had never been in the Castle, he asked
a purvoo

a purvoo in the Political Department to show him the place, which he accordingly did; and on seeing Mr. Muspratt, that gentleman informed your memorialist that he was too late, there having been four persons already strongly recommended for the situation. Your memorialist hearing this, withdrew his application, and returned to his office in company with the purvoo in question. The moment he went to his desk, Mr. Thomas, uncovenanted assistant in the Political Department, asked your memorialist if he had a box in office, and if so, to deliver the same to him; having a box, your memorialist delivered it, and the box was, by his instructions, conveyed to the Chief Secretary's room, and your memorialist was ordered to attend there. Here your memorialist was interrogated by Messrs. Malet and Thomas in reference to where he had been, and the foregoing was the result. Your memorialist was after this asked if he had any objection to their examining the aforementioned box, and replied that he had no objection. After a most scrutinising search, a Mahratta receipt, which was given to your memorialist by a native, for an instalment of a debt which he (your memorialist) had paid him towards the liquidation of a debt of 400 rupees, and which he had borrowed in the early part of the last year; this paper was found among his papers. After asking your memorialist whether there was any objection to the receipt being translated, your memorialist of course answered no, and the following was the result.

3. Your memorialist said, that the native gentleman, through whose influence he obtained this money, was a person living on the produce of his landed estate and property; that your memorialist became acquainted with this native gentleman shortly after his arrival in Bombay from Madras, so far back as the early part of the year 1847; that your memorialist obtained the last loan from one Bapoojee Gopall Kanitkur, by mortgaging his property, and had paid back as much as 120 rupees towards the liquidation of it; that your memorialist knew nothing of Bapoojee Gopall's connexion, directly or indirectly, with the Baroda affair; or even the native gentleman, through whose favour he obtained the loan alluded to from Bapoojee.

4. Many other questions unconnected with the receipt were asked your memorialist; and after examining the purvoo who accompanied him to Mr. Muspratt, your memorialist was told by Mr. Malet, that as the parties with whom he had dealings were in a manner mixed up with Baroda matters, that gentleman was justified in suspending your memorialist from office until the views of Government were known on the subject.

5. Your memorialist was re-examined the following day, and, with the exception of a few more trifling questions, was desired to withdraw.

6. On the evening of the 18th of November last, a letter was sent to your memorialist, to the effect that he is dismissed from his situation as a junior assistant in the Secretariate, and that he is ineligible from being again employed under Government, thereby throwing him out of work, and his wife and children out of bread.

7. Your memorialist appealed to the Right honourable the Governor in Council, and solicited the cancel of the circular, but was informed that his request could not be complied with.

8. Your memorialist was ignorant of the cause which led the Government to resort to the severe measures adopted against him, until but the other day, when he obtained the following information from a source on which he could confidently rely.

9. That some time in the month of March or April last, Mr. Thomas asked your memorialist if he was willing to follow the Chief Secretary to Mahabuleshwar, which (very reluctantly) he consented to, and proceeded thence, together with another clerk from another department, who was placed by Mr. Thomas in charge of the establishment. That whilst there, your memorialist copied, in common with other minutes, a minute connected with one Wittul Rao, a translation of which, he is informed, was found in a letter that was intercepted by Colonel Outram at the post-office at Baroda, and which letter, it appears, was written by a Dajee Dhandeo to his brother Vaman Rao Dhandeo Satay, who had nothing at all to do with the pecuniary transaction under review.

10. Under the foregoing circumstances the Government of Bombay based its opinion, and condemned your memorialist without examination.

11. The name of Dajee Dhandeo was appended to the receipt in consequence of his having received the instalment on behalf of Bapoojee Gopall, who happened to be absent at the time, he having left this for Poona.

12. Your memorialist, on obtaining the true information in reference to his dismissal, called upon Dajee Dhandeo Satay, who promised most faithfully that if the Government were to question him on the subject, he was prepared to pronounce your memorialist innocent before a court of justice, on his honour and solemn oath. Further, that he never received any information whatever from your memorialist, on any occasion, touching the Political and Secret Departments of the Secretariate.

13. Your memorialist begs to submit, that he is unacquainted with any other language than English; and therefore is perfectly unable to make a translation of any minute, or the one in question. That the minute was copied and dispatched by your memorialist in common with others in the presence of the clerk in charge; and that the same, on its receipt at the Presidency, was not only circulated amongst the members of Council, but was

duly retained and acted upon at this place, thus affording ample facility to the party or parties in office to make a translation of it, for the person in whose letter that translation was found.

14. Your memorialist joined the Political and Secret Departments of the Secretariate in the month of June 1849, and these malpractices were going on for many years before this time at the Presidency, owing to the inefficient system that had been observed. Hence it is clear that this translation was obtained at the Presidency, and not from your memorialist whilst at Mahebuleswar.

15. Your memorialist, ever since his entertainment in the Secretariate, owing to the smallness of his salary, and a large family depending on his exertions, was constantly in the habit of applying for situations that became vacant in other departments, both in and out of the Secretariate, which is a positive proof that he was not in the habit of selling information; and if so, that he would not have been so anxious to leave such a department. This fact Messrs. Malet and Thomas can bear testimony to.

16. Your memorialist had served under the Madras and Bombay Governments for a period of about ten years, and had during that time rendered due satisfaction, as will be seen from the annexed copy of testimonials, which were given him by his respective employers.

17. Your memorialist further begs most respectfully (by this opportunity) to bring to the notice of your Honourable Court, that the late mal-practices were owing solely to the confused management and irregular system that were observed in the Political and Secret Departments by Mr. Thomas, the uncovenanted assistant, under the following circumstances; and which, when a stir was made by Colonel Outram, and he was taxed in consequence, he endeavoured to hush up, by means of fixing his suspicion on this and that clerk, as being the perpetrator; and as, for instance, by the summary dismissal of your memorialist, without a shadow of proof against him.

18. No distinction was observed in the working portion of the Political and Secret Departments. Secret papers were hitherto permitted to be handed about all over the office, and thus the poorest sectioner had the means of access to them. On the other hand, the whole of the clerks were often detained in office until seven and eight P.M., during which time also documents of importance were permitted to be handed about for fair copyings all over the office.

19. Your Honourable Court graciously allowed Mr. Thomas 100 rupees a month in lieu of batta, in addition to his salary, for the express purpose that he should remain in office after hours; but which (as the whole department can testify) he never did, during the time your memorialist was employed in the Political and Secret Departments of the Secretariate, as he generally left office a little after the usual hour, or, at the latest, an hour later, leaving the whole establishment in charge of an assistant until seven and eight P.M. for nights together; and thus affording ample facility to those who were in the habit of purloining information from office to do so.

20. Under such a state of things, your Honourable Court will perceive that Mr. Thomas, as the managing head of the departments, so misarranged its system as to allow the Government to be imposed upon; and he did not seem to have foreseen these evils, until your memorialist had actually pointed them out.

21. A native clerk (in Mr. Thomas's confidence), though strongly suspected, was simply, the other day, dismissed on a pension; as also this person's nephew.

22. A certain Indo-Briton was found guilty of having clandestinely communicated information from the Political and Secret Departments of the Secretariate to the editor of the "Delhi Gazette," and was, through the influence of Mr. Thomas, simply transferred from the Political to the Judicial, and thence to the General Department, at which latter department he is now in the receipt of above 200 rupees per mensem; thereby in a manner encouraging such an improper act, instead of making a marked example.

23. There was also another individual, a native, who was found culpable of having obtained some thousands of rupees, by giving information from the Political and Secret Departments of the Secretariate, and who was simply dismissed from the Secretariate, is now in the employ of Government in the collector's department, on a salary of above 100 rupees per mensem. This person is at present suspended on alleged charges of fraud.

24. Your memorialist, against whom nothing has been proved, and he is satisfied that nothing can be proved, inasmuch as his conscience is clear, is not only surprised, but also the natives of Western India are at the same time surprised, at the severe measures adopted against him, undeservedly, by the Bombay Government. The natives, ever since the dismissal of your memorialist, daily remark to him in the following strain: "Is this the kind of justice the British Government in India administers to the people of India?" "Does Almighty God permit this?" "We know who the guilty parties are, and that you did not do this business." "Why don't the Government trace out and punish the people that did do this?" "Wherefore punish the innocent man?"

25. Such are the daily expressions of the natives themselves, whenever and wherever they meet your memorialist, and as the only alternative, he trusts that your Honourable Court,

Court, as the English representatives of India, after taking the foregoing into your benign consideration, will graciously extend to your memorialist that justice which his case unquestionably deserves, and which Heaven also is prepared to confirm, the moment it is sanctioned by your Honourable Court.

26. In conclusion, your memorialist, his wife, and three children, throw themselves on the clemency of your Honourable Court, humbly beseeching that justice! justice! justice! may be done them; and they humbly beseech it the more, being confident in themselves, that at the day of judgment the Judge of all mankind will publicly declare them as having suffered undeservedly.

For which act of grace your memorialist and his family will, as in duty bound, ever pray.

Daniel Marston.

Bombay, 3 February 1852.

THIS is to certify, that Mr. D. Marston was entertained as a clerk in the Quartermaster-General's office, from the 9th May 1842 to the present date, during which period he was employed as a Diary Receipt Writer; he is intelligent, and has conducted himself well. He has been allowed leave of absence for six months, from the 1st instant, to proceed to Bombay.

(signed) *H. Considine*, Major,
Deputy Quartermaster-General.

Quartermaster-General's Office, Fort St. George,
4 September 1846.

THIS is to certify, that Mr. D. Marston was employed as clerk in the Quartermaster-General's office from the 9th May 1842 to 31st August 1846, during which period he has conducted himself well. He has been allowed leave of absence for six months, from the 1st September 1846 to 28th February 1847, and that he was discharged at his own request. Mr. D. Marston is, I consider, a very respectable and trustworthy person.

(signed) *W. Strahan*, Colonel,
Quartermaster-General.
Quartermaster-General's Office, Fort St. George,
4 March 1847.

No. 9, of 1849.

THIS is to certify, that Mr. D. Marston has served in the Public Works branch of this office from 4th November 1846 to 31st May 1849, during which time he has been attentive to his duties, and has performed them in a satisfactory manner. He leaves this office (with my permission) at his own request, having obtained a situation in the Secretariat.

(signed) *C. D. Mylne*, Captain,
Bombay Military Board Office, 1 June 1849. Ag. Sec. Mil. Board.

(A true copy.)

(signed) Daniel Marston.

— No. 2. —

MEMORANDUM.

1. HAVING been permitted by the Chief Secretary to offer a few remarks upon such portions of the accompanying memorial from Mr. Marston, to the address of the Honourable the Court of Directors as immediately affect myself, I beg to submit the following explanation and observation with reference to paras. 9 and 14 to 23.

2. Having in the early part of the month of March last been directed by the Chief Secretary to warn two clerks to accompany him to Mahableshwur, on his proceeding to that place as secretary in attendance on the Right honourable the Governor in charge of the Civil Department, I asked Mr. Marston if he would like to accompany the Chief Secretary; I gave him until the following day to consider of the proposition, when he told me "he should be very glad indeed to do so." So much for his statement (in para. 9) that he proceeded to

Para. 9.

Mahableshwur "very reluctantly." The clerk (a Mr. Procter) who was associated with Mr. Marston at Mahableshwur, has informed me (since his dismissal) that Mr. Marston, while with him at the hills, was in the habit of making a second copy of all the Right honourable the Governor's draft minutes, which were entrusted him to copy fair for the signature of his Lordship; but he is unable to state what Mr. Marston did with these second copies; he says, he never saw him destroy them, and they were not required for office use.

Para. 17.

3. In paras. 17 and 18, Mr. Marston states that "the late malpractices were owing solely to the confused management and irregular system that were observed in the Political and Secret Departments by Mr. Thomas, the uncovenanted assistant, under the following circumstances; and which, when a stir was made by Colonel Outram, and he was taxed in consequence, he endeavoured to hush up, by means of fixing his suspicion on this and that clerk, as being the perpetrator, and, as for instance, by the summary dismissal of your memorialist, without a shadow of proof against him."

Para. 18.

"No distinction was observed in the working portion of the Political and Secret Departments. Secret papers were hitherto permitted to be handed about all over the office, and thus the poorest sectioner had the means of access to them. On the other hand, the whole of the clerks were often detained in office until 7 and 8 P. M., during which time also documents of importance were permitted to be handed about for fair-copying all over the office."

4. In reply, I beg to state that, during the 13 years I have held my present appointment, I have always been careful that papers, the contents of which it was of importance should be kept secret, should be entrusted only to such members of the establishment as I had reason to believe were trustworthy, and who were duly cautioned by me to secrecy; that these papers were allowed to be in their possession for such short period only as was requisite for the orders thereon to be issued or transcripts to be made, as the case might be, and that all papers deemed additionally secret were disposed of in my own office, and were never allowed to be taken into the public office. The assertion in para. 18, that secret papers were accessible to the poorest sectioner in the office, has no foundation, as such papers could not be seen by parties other than those to whom they were specially entrusted, except by treachery.

Para. 19.

5. In para. 19 Mr. Marston states, "Your Honourable Court graciously allowed Mr. Thomas a hundred rupees a month, in lieu of batta, in addition to his salary, for the express purpose that he should remain in office after hours; but which (as the whole department can testify) he never did, during the time your memorialist was employed in the Political and Secret Departments of the Secretariat, as he generally left office a little after the usual hour, or, at the latest, an hour later, leaving the whole establishment in charge of an assistant until 7 and 8 P. M. for nights together; and thus affording ample facility to those who were in the habit of purloining information from office to do so." Mr. Marston has been misinformed with reference to the circumstances under which Government, with the sanction of the Honourable the Court of Directors, was pleased, in the year 1846, to confer on me a personal allowance of 100 rupees per mensem; as will be seen from the annexed copy of a minute recorded by the Right honourable Sir George Arthur, dated the 10th December 1845, concurred in by the Honourable Board.

6. I, at the same time, beg to state, that it has never been considered a portion of the duties of the uncovenanted assistants to the secretaries to Government, in any of the departments of the Secretariat, to continue in office after office-hours, merely because copying work for the Honourable the Court of Directors was in hand. Ever since I have held my present appointment, I have on most days been considerably later in office than any of the uncovenanted assistants in the other departments of the Secretariat, who generally leave at 5 P. M.; and never have I during that period quitted my post when my presence was requisite. When it has been necessary that the copying of papers for the Honourable Court should be continued subsequent to my leaving the office at night, I have invariably left one of the junior assistants, in whom I have reposed confidence, in charge of the office, who on these occasions, averaging about three or four times in each month, has been furnished with all requisite instructions from me.

7. In

7. In the 20th para. Mr. Marston states, "Under such a state of things, your Honourable Court will perceive that Mr. Thomas, as the managing head of the departments, so misarranged its system as to allow the Government to be imposed upon; and he did not seem to have foreseen these evils until your memorialist had actually pointed them out." I am not aware of what Mr. Marston alludes to in the concluding portion of this passage; he has never made any intimation to me on the subject of the "evils," nor am I aware of his having done so previous to his present memorial, excepting through the newspapers, subsequent to his recent dismissal.

Para. 20.

8. The two natives alluded to by Mr. Marston in para. 21, as having been recently "dismissed on a pension," were the two head purvoes in the office; both of these persons had been employed for upwards of 30 years in the Political Department, and in consequence of suspicions being entertained that they have been in the habit of communicating information from the records, they were, in the month of November last, informed, by order of the Chief Secretary, that they must seek other employment on or before the 1st January 1852; they preferred retiring on pensions, and in the absence of any proof of their having been unfaithful to Government, they have been permitted to do so; their pensions are in each case less than one third of the amount of the pay they were receiving in the office.

Para. 21.

9. In the 22d para. Mr. Marston alludes to the case of a Mr. Hogsflesh, formerly a junior assistant in the Political Department of the Secretariat, who having, in the year 1848, been suspected of having furnished information to the "Delhi Gazette" newspaper, was, in consideration of his youth and other circumstances, and the absence of positive proof of his guilt, allowed the option of being dismissed from his situation, or effecting an immediate exchange with some clerk in one of the other departments of the Secretariat.

Para. 22.

10. The person alluded to in para. 23, named Shreecrustna Wassoodewjee, was dismissed from the Political Department of the Secretariat in the year 1843, in consequence of strong suspicion of his having been concerned in the Dhackjee Dadajee frauds which came to light in the preceding year; he is now under suspension on charges connected with defalcations in the shop and stall tax collections, and the charges against him are in the course of inquiry.

Para. 23.

(signed) *R. Hughes Thomas,*
Uncovenanted Assistant to
the Chief Secretary.

Bombay, 9 February 1852.

MINUTE by the Honourable the Governor, concurred in by the Board.

MR. THOMAS entered the Secretariat on the 30th September 1836, and consequently had served in the office on the 30th September 1845, nine years; during seven of which he has filled the very responsible situation of principal uncovenanted assistant in Mr. Willoughby's departments. His salary is 500 rupees per mensem.

I think the salary of this appointment should be at least to equal to, even if it does not exceed, the highest salary assigned to this meritorious class of public servants. In extent, importance, responsibility, and the intelligence requisite for their satisfactory performance, the duties of Mr. Willoughby's assistant undoubtedly exceed those devolving upon any other person of the same class, but the emoluments are higher in other departments.

The salary of the deputy postmaster is the same, but he is allowed a public residence, which in Bombay is equal to 100 rupees per mensem. He also receives 100 rupees per mensem, as belonging to the class of merit. The uncovenanted assistant in the Military Department receives 600 rupees per mensem. The uncovenanted assistant to the collector of Bombay 400 rupees, and deputation, 130 rupees. The uncovenanted assistants in the Customs Department also, in some cases, receive higher emoluments than that assigned to Mr. Thomas; for instance, the principal assistant receives 500 rupees, and five rupees per diem deputation.

I quite concur with the court that a better mode of rewarding Mr. Thomas may be devised than by granting him extra pay for work performed out of working hours. But reluctant as I am to recommend any increase of expense, I am disposed to urge strongly that his name be enrolled in the class of merit, with an extra allowance of 100 rupees per mensem. By this mode we shall reward a highly meritorious servant, but without any permanent increase of expense; for the proposed allowance being made personal will not, as a matter of course, be payable to his successor.

(signed) *G. Arthur.*
T. M. Mahon.
J. H. Crawford.
L. R. Reid.

10 December 1845.

— No. 3. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

THIS memorial may be sent to the Honourable Court, together with our proceedings in the case.

(signed) *Falkland.*
J. Grey.
D. A. Blane.
A. Bell.

10 February 1852.

— No. 4. —

No. 884 of 1852.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Mr. *Daniel Marston*, Bombay.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 3d ultimo, and to inform you that the memorial to the address of the Honourable the Court of Directors, therewith forwarded, will be transmitted to that authority by the overland mail of the 4th instant.

I am, &c.
 (signed) *A. Malet*,
 Chief Secretary.

Bombay Castle, 2 March 1852.

(True extract.)

(signed) *A. Malet*, Chief Secretary.

30.

Collection No. 1, of No. 37, Bombay Political Department,
Letter from, dated 3 April 1852.

BARODA INTRIGUES.

On the subject of certain Intrigues in connexion with Affairs at Baroda, alleged to have been carried on in Bombay during the Year 1848 and the early part of 1849, through the medium of Agents employed by Baba Nafra, Manager of the Banking Firm of Hurree Bhugtee, of Baroda.

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Bombay Castle, }
3 April 1852. }

(signed) *H. E. Goldsmid,*
Secretary to Government.

— No. 1. —

Extract Bombay Secret Consultation, 31 July 1850.

No. 327 (A.) DEMI-OFFICIAL LETTER from Lieutenant-colonel *Outram*, C.B., Resident at Baroda, dated the 13th July 1850, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

THE delay which Baba Nafra's people managed to interpose before his Highness could get the chopras from them, was made good use of in falsifying many items; but though the names of the parties to whom the money was given had thus been obliterated, the business was so hastily and clumsily done as to leave no doubt as to the object of those debits; and from first to last between three or four lakhs of rupees, belonging to Hurree Bhugtee's firm, have been made away with by the Baba to defeat inquiry into the Joetabhaee affair, during the four years the tukrar has been going on. Among other items are two for a lakh of rupees given in September or October 1848 (one of 85,000, the other of 15,000), the latter of which is supposed to have been given to Nursoo Punt, and the former to have been sent to Bombay, with a view to defeat my exposure of the Govind Rao Gaekwar and Gorajee Pol frauds, on which I reported at the end of August and beginning of September of that year. The agent employed in Bombay is now here, whose examination I took yesterday, a rough translate of which I enclose; the fellow admits only to have had 22,000 rupees, but is believed to have taken the whole 85,000, which doubtless he made appear to have been expended much in the same way the rascals did in the Dhakjee Dadajee affair of 1840; and I think a complete exposure of their villany would be effected by securing the papers which he left with his brother-in-law in Bombay, which I should hope there would be no difficulty in doing if you were to put the police magistrate on the scent without delay.

I recollect either you or Willoughby telling me, shortly before I went to Egypt, of an agent of Baba Nafra's having had the impertinence to endeavour to present Posbanks to the Madams, for which the fellow was sent to the right-about with a flea in his ear. I dare say it will be found that he pretended to have expended the money in that manner; if so, we now, I hope, have an opportunity of exposing the rascally contrivances by which such fellows have made people up here believe in the efficacy of "khutput in Bombay."

I write in haste to save the post.

(signed) *J. Outram.*

13 July 1850.

TRANSLATION of the Deposition of Joteshwur Echaram; Religion, Hindoo; Caste, Nagur Wursingra; Service, Gomashita, in the shop of the Firm of Hurry Bhugtee; Inhabitant of Baroda; dated 12 July 1850.

Question. Who sent you to Bombay; on whose part, and when did you go?—*Answer.* In 1904 I was sent to Bombay by Baba Nafra, on the part of Hurree Bhugtee. I resided in the house of Thukur Joota Huika, situated in Suwarcharee Naka, on the road leading to the Fort, and paid rent at five rupees per month.

Who was with you, and what was your salary?—My salary was 100 rupees per month, including all expenses. My brother-in-law Bulwuntram was with me.

What was the salary of Bulwuntram?—I paid Bulwuntram out of my own salary, and he resided with me.

How much money did you receive on account of your salary, &c.?—I received about 22,000 rupees, on account of my salary, and for other expenses.

State on what account this sum has been expended by you?—I have not here the accounts, but my brother-in-law in Bombay, who still resides at the same place, has all the papers, &c., by him.

If you can recollect how much of the money you have expended, mention the same?—About 8,000 rupees was paid by me into the Supreme Court on account of an attachment on the shop of Hurree Bhugtee; the rest of the money I expended I do not recollect now, but my brother-in-law in Bombay has got the accounts.

(signed) *Joteshwur Echaram.*

N. B.—Bulwunt Rao, with whom the papers are left, still resides at the same place; the Sobarchara ke Naka, on the road to the Fort, is where the house of Tukker Jota Urka; he is well known to Vrijlall Dulla Soucar, in Bombay, who everybody knows. I enclose a Guzerattee memo. of this direction.

[Here follows the Guzerattee Memorandum.]

— No. 2. —

MEMORANDUM by the Chief Secretary to Government.

No. 397 (B.)

THE Chief Secretary has the honour to circulate a private letter from the Resident at Baroda, date 13th instant (just received), suggesting that papers said to be in the possession of a person named Bulwunt Row, and which relate to disbursement of money sent to Bombay by the firm of Hurree Bhugtee, in Baroda, to Joteshwur Esharam, in 1848–9, be seized; the Chief Secretary begs to solicit the orders of Government on the subject, and to suggest that if it be determined to comply with Colonel Outram's suggestion, orders be immediately given, as without doubt Bulwunt Row will have been written to from Baroda on the subject, so that any delay will defeat the chances of success.

(signed) *A. Malet,*

17 July 1850. Chief Secretary.

— No. 3. —

MINUTE by the Honourable Mr. Willoughby.

No. 328.

THERE can be no doubt that it is highly desirable that malpractices of the kind alluded to by Lieutenant-colonel Outram should be exposed, and if possible punished, but it is exceedingly difficult to effect this in Bombay. I think the Chief Secretary should be authorised to communicate confidentially with the Advocate-general, and obtain his advice, as to whether any, and if so, what measures can be adopted to secure Bulwunt Row's papers, as calculated to throw some light on the subject, and in corroboration by Lieutenant-colonel Outram's surmises that the firm of Hurree Bhugtee, or rather I should say Baba Nafra, have sent money to Bombay under the pretext of bribing men in authority. I circulate an anonymous note which I received, dated the 10th April 1848, and which, if I recollect right, I mentioned at the time in Council, and ascertained that my late esteemed colleague, Mr. Reid, had received an exactly similar communication. It will be observed that this letter addressed to me was enclosed under a cover addressed to my daughter, and I think it must have been drawn up by some unprincipled and corrupt European, in league with the party at Baroda.

(signed) *J. P. Willoughby.*

17 July 1850.

— No. 4. —

No. 329.

MINUTE by the Honourable Mr. *Blane*.

I HAVE no objection to the Chief Secretary taking such measures with respect to the seizure of the papers as may be advised by the Advocate-general.

(signed) *D. A. Blane*.

17 July 1850.

— No. 5. —

No. 329 (A.)

OPINION by the Advocate-General, Bombay.

THE papers referred to cannot be legally seized except under civil process; if the transactions relate to mere money demands and accounts, or if any crime is involved by any criminal falsification of accounts, or the like, then under criminal process on information on oath laid before a magistrate.

(signed) *A. S. Le Mesurier*,

Malabar Hill, 17 July 1850.

Advocate-general.

— No. 6. —

No. 330.

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane* and the Right honourable the Governor.

UNDER this opinion I imagine we can adopt no other measure beyond communicating it to Lieutenant-colonel Outram. After this has been done, the papers should be sent to the Right honourable the Governor.

(signed) *J. P. Willoughby*.*D. A. Blane*.*Falkland*.

18 July 1850.

— No. 7. —

No. 155 of 1850.—Secret Department.

No. 330 (A.)

From the Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c. b., Resident at Baroda.

Sir,

WITH reference to the suggestion contained in your private note of the 13th instant, to my address, that certain papers said to be in the possession of one Bulwunt Row may be seized, I am directed by the Right honourable the Governor in Council to inform you, that Government having consulted the Advocate-general on the subject, that officer has given it as his opinion that this seizure cannot be legally effected.

I have, &c.

(signed) *A. Malet*,

Bombay Castle, 18 July 1850.

Chief Secretary.

— No. 8. —

DEMI-OFFICIAL LETTER from Lieutenant-colonel *Outram*, c. b., Resident at Baroda, to *A. Malet*, Esq., Chief Secretary to the Government of Bombay.

HERE is translate of a further statement by Itcheram, in which he gives further particulars of his proceedings in Bombay, which if true shows that some rascal has been pretending to influence with Reid, and making money on that pretence. The deponent pronounces the name indistinctly, Craik or (Clerk ?); it may,

may, however, have been a false name given to deceive the man; or if Reid had any European clerk, it may be him.

I shall have the fellow up again to-morrow, to examine him more particularly regarding the place of Mr. Craik's residence, which is indistinctly pronounced in the deposition, and I do not know whether it means Mazagon or not. But the best chance of tracing the transaction will be in the books of Vrijlall Doolub, in which the bank notes for 10,000 rupees, said to have been given to Mr. Craik in October 1848, ought to be recorded.

I hope the police will be able to trace this Mr. Craik, or whoever he is, who has been traducing Reid. In haste.

Yours, &c.
(signed) J. Outram,
Resident.

Baroda, 22 July 1850.

TRANSLATION of the Statement of Joteshwar Echaram, Gomashta of the firm of Hurree Bhugtee, before the Resident, dated 21st July 1850.

Question. STATE what occurred in Bombay, where you were sent on the part of the firm of Hurree Bugtee?—*Answer.* Some time in the year 1848, Baba Nafra, the mooneem of the firm, called me to his own house, at about eight or nine o'clock at night, and told me I was to go to Bombay on certain business connected with the firm which was going on at the Presidency; that he had consulted Nursoo Punt on the subject, who approved of the arrangement, and said that Mr. Reid would take up the case. When the conversation took place, Nursoo Punt, Lulloo Bhugwan, and Bhugwan Bhowanee were present. I then returned to my house. In about the month of Asar or Shrawun (September or October) of that year I went to Bombay, and rented a house of Tukka Jeitah Hurkar, at 5 rupees a month, but finding that my business was not progressing, I met a person named Shesha Appa, a Mahratta, residing near the Karra Koowa, who asked me what brought me to Bombay, and I told him all about it. He advised my going to speak to a Mr. Creigh,* of Muchgaum (Mazagon?), who would attend to my business. I accordingly went to that gentleman, and informed him of the object of my mission. He asked how much I would give him for interesting himself in my behalf. I offered him 2,000 rupees in the first instance, and promised to give what he liked after the business had been satisfactorily settled; I afterwards brought 2,000 rupees worth of bank notes, and gave them to the Sahib, but finding that nothing had been done I again went to Mr. Creigh, and complained of his having taken the money and done nothing. He said that Mr. Reid was much displeased with me; that he was going to England, and suggested that I should give him 10,000 rupees to present to Mr. Reid. I asked him to introduce me to Mr. Reid; when I would give him the money myself; he replied that he would not receive the money from the hands of a native inhabitant of Baroda, lest a petition should be sent in against him. As my business was of much importance, and hearing that Mr. Reid was going to England, I gave Mr. Crake five or six notes amounting to 10,000 rupees, to present to Mr. Reid. Mr. Crake then asked me to give him 200 rupees to buy a horse, which I did, bringing a note for the amount.

After giving the notes above mentioned to Mr. Crake, to present to Mr. Reid, did you call upon the latter gentleman to know if he had ever received the money?—No, I did not go to inquire about the money.

In what employment was this Mr. Crake, to whom you say you gave the money?—I do not know.

Who was with you when you went to give the money to Mr. Crake?—I went alone.

What made you give money to Mr. Crake?—There were at that time several cases pending connected with the firm, viz., regarding Joetabhaee's child, and the Shastree's dispute,† and the money was given with a view to gain favour.

After paying the money was your business arranged?—No, it was not settled, and 'tis still pending.

Did you ever go to any gentleman to present a sirpao?—I heard that when Bhanabaae went to Bombay he took with him some fine kupra, to present to ladies and gentlemen, and thinking it was as well for me to do likewise, I asked for some things, and they gave me two fine shawls and one turban from the firm, to take with me, but I did not give them to anybody, and they are now in my possession. Another shawl and pugree, which Baba gave to me, I wear.

Did you ever go to Mr. Reid's house?—Yes, I went once, and answered the questions he put to me regarding the Shet.

You

* I cannot make out this name distinctly, whether Creik or Clerk. Had Reid any English clerk who may have been so called?—(signed) J. O.

† Battye has omitted here the words, "and four or five other matters," which are in the original.—(signed) J. O.

You say you once called upon and saw Mr. Reid; was this before you gave the money to Mr. Crake, or after?—The interview with Mr. Reid occurred first, but in conversing with that gentleman no mention was made of the rupees.

In what employment was this Mr. Reid?—He was a member of Council.

What confidence had you in Mr. Crake that induced you to give him the money from the firm, as above stated?—He gave me a solemn promise to exert himself in my behalf, with which I was satisfied, and gave him the notes. I was not at first certain about the Sahib's name, so I asked his servants, who said his name was Crake. He gave me every assurance that he would befriend me, and we both swore implicit confidence; after that I returned to Baroda, where I learned that the case regarding the guarantee of the firm* had been settled.

Was Bhanabae with you in Bombay?—Bhanabae was sent to Bombay a year before me, but as he was not depended upon I was sent in his place, and he recalled to Baroda. Baba Nafra taxed me with having expended 10,000 rupees for no purpose, but I replied that the guarantee case had been settled at any rate.

Why was not Bhanabae depended on?—He talked a great deal, but did nothing, so I was sent.

Did you meet Bhanabae in Bombay?—No, I did not see him.

Where did you get the notes which you gave to Mr. Crake?—In the kupra (cloth) market there is a paruk named Vrijlall Dolub, on whom the Shet had given me an order, and from whom I obtained the notes, which will be found entered in his chopras, but in my book this sum is not entered, because I intended to mention it to Baba in person.

What month was it when, as you above state, you were called to Baba Nafra's house, where Nursoo Punt and others were sitting?—It was either in the month of Ashar or Shrawun.

(signed) *Joeteshwur Echaram.*

— No. 9. —

No. 364. *OPINION by the Advocate-General, Bombay.*

NOTHING can be done on this except in the mode stated in my last communication to you, within the Supreme Court's local jurisdiction.

Yours, &c.

Wednesday, 31 July 1850. (signed) *A. S. Le Mesurier.*

— No. 10. —

No. 365. *MINUTE by the Honourable Mr. Willoughby, concurred in by the Honourable Mr. Blanc.*

THE receipt of this should be acknowledged, and Colonel Outram should be referred to the letter to his address of the 18th instant, and a copy of the Advocate-general's former opinion and this note may be sent to him for his information.

(signed) *J. P. Willoughby.*
D. A. Blanc.

31 July 1850.

— No. 11. —

No. 162 of 1850.—Secret Department.

No. 366. From *A. Malet, Esq.,* Chief Secretary to the Government of Bombay, to Lieutenant-colonel *J. Outram, c.B.,* Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your private note to my address, dated the 22d ultimo, and to refer you to my communication on the subject of the 18th idem, No. 155.

2. I am at the same time desired to transmit, for your information, copy of the

* Alluding to the fraud on Govindrow Gaekwar, for which I had recommended withdrawing the guarantee.—(signed) *J. O.*

the report of the Advocate-general, dated the 17th ultimo, on your letter of the 13th idem, together with transcript of a further demi-official from that officer, of the 31st ultimo.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 1 August 1850.

— No. 12. —

No. 193 of 1850.—Political Department.

From Lieutenant-colonel *J. Outram*, C.B., Resident at Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay. No. 392 (A.)

Sir,

WITH reference to the subject of my private notes, dated 13th and 22d ultimo, and of your replies, dated 18th ultimo and 1st instant, I beg leave to transmit for your information, and such notice as it may be deemed worthy of, the translation of an anonymous communication received yesterday, which you will observe clearly indicates the European mentioned in Joteshwur Echaram's second statement as "Creek" Sahib (which I then supposed might stand for Creed or Clerk, being unable distinctly to make out the name, owing to the faulty pronunciation of the deponent), is a Mr. Craig, which name I see recorded in the calendar as clerk in the Secret and Political Departments of the Secretariate, residing at Mazagom.

2. From what appears in this document, which although anonymous is so far deserving of attention that it confirms much that is disclosed in Joteshwur's very reluctant testimony, there can be little doubt that Mr. Craig is the party alluded to by the latter as the person who made such infamous use of Mr. Reid's name.

3. As Government was debarred by legal forms from adopting at the time the steps which I took the liberty to suggest for obtaining the papers left in Bombay by Joteshwur Echaram, or for tracing the notes said to have been paid by him to Mr. Craig, I fear there is no hope now of satisfactorily proving the transaction, and I regret that I was not honoured by the communication, with your first letter, of the Advocate-general's opinion, forwarded with your second, as I should have done myself the honour to forward such information on oath as might yet perhaps have enabled you to effect the object. After the further delay, however, of 14 days, which had intervened between your first and second communication, there could be no hope of finding the papers, which will of course have been secured long ere this by Baba Nafra's agents, who it appears from the accompanying revelations are at work in Bombay to counteract the investigation on which I am engaged.

I have, &c.
(signed) *J. Outram*,
Resident.

Baroda Residency, 16 August 1850.

TRANSLATION of an Anonymous Letter received from Bombay, to the Address of the
Resident at Baroda.

MY object in writing to you is this, that I hear you have taken the deposition of the gomashta of Hurree Bhugtee, by name Joteshwur, who I believe has not confessed to anything at Baroda; but when he formerly came here he brought with him 10,000 rupees, and told the Setanee that he gave this amount to Mr. Reid, but this money was divided among Rugoba Simpey, employed in the Military Pay Office, Mr. Craig, a half caste, and another person, a half caste too, in the Political Department. Joteshwur lived in the house of Chootha (Jetha) Hurka, and close to him lived the above person named Ragoba Simpey. Joteshwur has now sent a hoondie for 2,500 rupees on Dyaram Atmaram, for payment to Ragoba. The karbaree of Joteshwur, by name Bappoo Sewlal, is here; this person and Ragoba took 1,500 rupees out of the 2,500 rupees, and gave it to Captain McDonald, whose receipt is with Ragoba Simpey. Bappoo Sewlal, the karcoon of Hurree Bhugtee, and Ragoba went to Mr. Howard, the barrister, also to Mr. Leggett, lawyer, and Mr. Cole, clerk of the Accountant-general's, and they got Mr. Howard to prepare a petition on a promise of paying him something for his trouble; he took the deposition

of Joetabhaee Setanee in English, and intends to send it to Government. Such is the case here. Joteshwur writes from Baroda to Ragoba Dada and Bappoobhoye, desiring them to do the business satisfactorily, when the Setanee and Baba would not forget them; that in the inquiry which was instituted at Baroda about the 10,000 rupees he did not mention Dada Sahib's name, therefore not to fear anything; that when they came to leave him in the steamer the conversation which then passed between them may be relied upon. In this way business is being done here. And as you are instituting inquiries in this case at Baroda, there is no difficulty in calling those persons before you. Bappoo Sewlal was formerly gomashta of Kandass Wagjee, but for some misconduct he was dismissed, and is now employed by Hurry Bhugtee as karkoon to Joteshwur, in Bombay. The gomashta has given it out that he is kept here in consequence of his having got to make some reply to the complaint made against him by one Gunputrow Dhondey in the court, but all this is untrue. Bomanjee Bawa, Atmaram Souar, Ragoba Simpey, Mr. Leggett, lawyer, Mr. Cole, and Mr. Howard, are making "kutput" in this case. Bappoo Sewlal and Nathjee, and another of his associates, are the persons who give money and furnish information to those persons, and as this has come to my knowledge I have informed you of it in order that you may institute such inquiries as may appear to you proper.

(True translation.)

(signed) *M. Battye,*
Assistant Commissioner.

— No. 13. —

No. 392 (B.) ANONYMOUS PETITION to the Address of the Chief Secretary to Government, dated the 13th August 1850.

Honoured Sir,

I HUMBLY beg to bring to your Honor's notice something of great moment, which your Honor would be good enough to pay great attention to.

That Colonel Outram having seized and imprisoned one Joteshwur, who was formerly in Bombay, took down his deposition, wherein he did not acknowledge what he had done at Bombay. He resided in Market, in the house of Jootha Hurca, and he got every private affair managed by a tailor, Ragoba Dada, who lived in the neighbouring house. These persons brought a sum of 10,000 rupees, on a pretence of presenting them to Mr. Reid, and informed Mahaluxmee Setanee, widow of Hurree Bugtee, that the sum was delivered to that gentleman through Mr. Crake and another Indo-Briton, whose name I am ignorant of, and both of them clerks in your department; but the sum was divided among these four persons.

* S. O. Again, a hoondie of 2,500 rupees has been received, but it is * deposited of in the following manner by Bappoobhae Sivelal and Ragoba, the said tailor, viz., 1,500 rupees have been delivered to Mr. M'Donald, from whom a receipt in the name of Ragoba has been taken; and for the preparation of a case Mr. Howard has been profusely paid. These persons informed the Setanee that a sum has also been paid to you. Such are the false things these persons commit. Having apprized your Honor of these circumstances, I proceed to Baroda to do the same to the Setanee. Should it please your Honor, you will inquire into the matter. The tailor, Ragoba, is a clerk in the Military Pay Office; he should be sent for and questioned as to whether he had accompanied Joteshwur at the time of embarkation on steamer, whether he received a hoondie of 2,500 rupees from the same man, and he (Joteshwur) wrote to him that an inquiry was made by the Resident about the 10,000 rupees, but his name was not mentioned at all by him (by Joteshwur), and he ought not to be afraid thereof.

— No. 14. —

No. 392 (C.) MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. Willoughby.

I SEE no use in taking any further notice of this petition, which is anonymous. However, my civil colleagues have had more experience than I have in dealing with papers of this nature, and I will be guided by their opinion.

(signed) *Falkland.*
J. P. Willoughby.

18 August 1850.

— No. 15. —

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane*.

No. 392 (D.)

THIS should be sent to the Right honourable the Governor. There was a clerk formerly in the Secret and Political Departments, of the name of Craig, but I believe he has proceeded to Calcutta; his character was, I believe, indifferent. The Chief Secretary should state when and under what circumstances he obtained his discharge.

(signed) *J. P. Willoughby.*
D. A. Blane.

21 August 1850.

— No. 16. —

MEMORANDUM by the Chief Secretary to Government.

No. 392 (E.)

WITH reference to the Honourable Mr. Willoughby's letter the Chief Secretary begs to state that Mr. Craig held the office of superintendent of sectioners, and left at his own request for Calcutta (promising to return in three months) on the 13th of February 1849; at the expiry of the allotted time his name was struck off the list of the establishment. Mr. Craig's official character was not suspected before he left, though his personal character was latterly known to be bad.

(signed) *A. Malet,*
Chief Secretary.

24 August 1850.

— No. 17. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Honourable Messrs. *Willoughby* and *Blane*.

No. 392 (F.)

I BEG to refer to my minute of the 18th instant, and would leave it to the Chief Secretary to make any inquiries and take such steps as he may deem necessary.

(signed) *Falkland.*
J. P. Willoughby.
D. A. Blane.

27 August 1850.

— No. 18. —

MINUTE by the Honourable Mr. *Blane*.

No. 392 (G.)

"RAGOPA," who is stated to be in Government employ, might, I think, be sent for, and his statement taken down by the Chief Secretary, who might also make inquiries as to who Mr. McDonald is. This may lead to some disclosure, and can do no harm.

27 August 1850. (signed) *D. A. Blane.*

— No. 19. —

FURTHER MINUTE by the Right Honourable the Governor.

No. 392 (H.)

I WOULD leave this matter to the Chief Secretary.

30 August 1850. (signed) *Falkland.*

— No. 20. —

No. 392 (I.)

FURTHER MEMORANDUM by the Chief Secretary.

WITH reference to the minutes of the Right honourable the Governor, of the 27th and 30th instant, the Chief Secretary begs to state that the only person whose name is mentioned in these anonymous letters as belonging to his office is Mr. Craig, who has gone to Calcutta, and is therefore out of reach; he has made inquiries relative to the "other half caste," said to be in the Political Department, and can get no clue to his discovery.

The Chief Secretary, with every deference to the Honourable Mr. Blane's opinion, expressed in his minute of the 27th August, would suggest that as it is not improbable that trustworthy information may be obtained from Baroda, on which inquiries may at a future time be based, any investigation on information received anonymously might, by forewarning the parties, defeat future inquiry, while the nature of the information at present available precludes any satisfactory investigation at present.

(signed) *A. Malet,*
31 August 1850. Chief Secretary.

P. S.—Since writing the above I have received information that leads me to suppose that a half caste, named Stemson, may have been concerned with Mr. Craig in this matter; he afterwards went through the Insolvent Court, and, his character not being good, was dismissed from this office. His being constantly with Mr. Craig, however, is the chief ground for the suspicion.

(signed) *A. Malet,*
2 September 1850. Chief Secretary.

— No. 21. —

No. 392 (J.) FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Honourable Messrs. *Willoughby* and *Blane*.

THESE may be recorded whenever the Chief Secretary thinks it advisable to bring them on record.

(signed) *Falkland.*
J. P. Willoughby.
4 September 1850. *D. A. Blane.*

— No. 22. —

No. 400. From Captain *H. J. Barr*, Military Paymaster, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to state, that from a private communication I have received from Colonel Outram, I am led to believe that a clerk of my office, named Ragoba Moroba, is in some way connected with certain illegal pecuniary transactions which have been brought to the notice of the Resident at Baroda by an anonymous correspondent; and I am of opinion that were I empowered to promise that Ragoba Moroba would be held harmless for the share he has had in the matter, I might obtain some important information from him, which would enable Colonel Outram to convict others more deeply implicated.

I have, &c.
(signed) *H. J. Barr*, Captain,
Military Paymaster.

— No. 23. —

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane*.

No. 401.

RESOLVED in Council, that it being highly desirable to trace out the parties alleged to be concerned in transactions of bribery and corruption in connexion with persons at Baroda, that Captain Barr be authorized to hold Ragoba harmless for the share he may have taken in this, on condition that he shall make a full and fair disclosure of all he knows on the subject, Ragoba being explicitly given to understand that this immunity will be forfeited should he fail to do so.

11 September 1850.

(signed) *J. P. Willoughby.*
D. A. Blane.

— No. 24. —

No. 176 of 1850.—Secret Department.

No. 402.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Captain *H. J. Barr*, Military Paymaster.

Sir,

IN reply to your letter without date, I am directed by the Right honourable the Governor in Council to authorize you to hold Ragoba Moroba harmless for the share he may have taken in transactions of bribery and corruption in connexion with persons at Baroda, on condition that he shall make a full and fair disclosure of all he knows on the subject, he being explicitly given to understand that this immunity will be forfeited should he fail to do so.

Bombay Castle,
11 September 1850.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

— No. 25. —

EXTRACT (Para. 4) from a Letter from Lieutenant-colonel *Outram*, Resident at Baroda, dated 7 September, No. 207 (B.), of 1850.

APPENDIX H. is a memorandum of my proceedings in an inquiry into the cause and object of the mission to Bombay in July 1848 of an agent of Baba Nafra, the moonim gomashtha of Hurry Bhugtee's firm, who is proved in evidence to have been deputed at the instigation of Nursoo Punt, charged to communicate with Mr. Reid, and authorized to draw on the firm for any sums that might be required for purposes of bribery; and it will be seen from the evidence that there is much ground for believing that large sums were expended by him in this manner, evidence being very strong against a Mr. Craig, clerk in the secretary's office, who is represented to have received on one occasion 2,000 rupees, and on another 12,000 rupees, and 200 rupees, and who also appears to have shamefully misused Mr. Reid's name on the occasion.

Note.—The other portions of the letter from which the above extract is taken were forwarded to the Honourable the Court of Directors on the 17th February 1852, and formed Enclosure No. 17 to Collection No. 1 accompanying that despatch dated 17 February (No. 19 of 1852).

H.

MEMORANDUM of Proceedings in an Inquiry into the Cause of the Mission of Joteshwar Echaram, a Gomashtha of the Firm of Hurry Bhugtee, deputed by Baba Nafra to Bombay in July 1848, for the purpose of forwarding the Interests of his Employer in certain Cases then under Examination at the Baroda Residency.

It having come to my knowledge that Joteshwar Echaram was deputed to Bombay about the time referred to, I sent for him, and examined him on the subject, on the 12th July 1850. He then deposed as follows:

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TRANSLATION

* On oath.

TRANSLATION of the Deposition* of Joteshwur Echaram, aged 37 years, inhabitant of Baroda, Gomashtha of Hurree Bhugtee; made before the Resident at Baroda on the 12th July 1850.

Question. Who sent you to Bombay, and on whose part did you go, and when did you go; state all this?—*Answer.* About the year 1904 (A.D. 1848) Baba Nafra sent me to Bombay on the part of Hurry Bhugtee, and I resided in the house of Thukur Jootha Hurka, near Lowarcharee Naka, on the road to the fort, at a rent of five rupees per mensem.

Who else was with you, and what was your salary?—My salary was 100 rupees per mensem, including all expenses. My brother-in-law, Bulwunt Ram, was with me.

What was Bulwunt Ram's salary?—I paid Bulwunt Ram of my own salary. Bulwunt Ram Hurreeram above named now resides in the house of Thukur Jootha.

How much money did you receive on account of your salary, &c.?—I received about 22,000 rupees on account of my salary and other expenses.

Show the accounts in what way you have laid out this money?—I have not the accounts by me, but my brother-in-law, Bulwuntram Hurreeram, in Bombay, has them.

As far as you can recollect, state what sums have been expended by you?—About 8,000 rupees was paid into the Supreme Court as deposit on account of an attachment placed on the house of Hurree Bhugtee, in Bombay. Of the rest I do not recollect; but my brother-in-law has got the accounts.

Being aware that the papers alluded to by Joteshwur Echaram as having been left in Bombay with his brother-in-law, Bulwuntram, would disclose facts of importance, I forwarded a copy of the above statement to Mr. Malet, on the 13th July, with a private note, suggesting the advisability of taking measures to secure them, and explaining the object I had in view.

To this the following official communication from Mr. Malet, in the Secret Department, was returned on the 18th idem:

“With reference to the suggestion contained in your private note to my address dated the 13th instant, that certain papers said to be in the possession of one Bulwuntram may be seized, I am directed by the Right honourable the Governor in Council to inform you, that Government having consulted the Advocate-general on the subject, that officer has given it as his opinion that the seizure cannot be legally effected.”

In the meantime, Joteshwur's papers at Baroda having been attached by the Durbar, and sent with him to the Residency (at my request), that person, on being told that they should be strictly examined before him in my presence, became much agitated, declaring that they contained nothing relating to the case now under investigation, but confessing there were secret papers, of much importance to the interests of the former Carbarees, Sarabhaye and Brijlall, to whom he was “gooroo,” and stating, that if I would allow him to take them away, he would disclose all he did in Bombay on the occasion above referred to: this I refused, but I told him, if he truly disclosed all he did in Bombay, I would seal up the whole of his papers (after first casually inspecting them, to see that no papers connected with the present inquiry were among them), and deposit them in the treasure chest under the Residency guard, to be kept there until the truth of his proposed disclosures were ascertained, when, with the sanction of Government, the sealed papers should be restored to him. Under this promise, the papers were then looked over, so far as to ascertain that none concerning the present case were concealed among them. The rest were then sealed up in Joteshwur's presence, without examination, although, in casually looking over them, so much transpired of their nature as to show that they contained proofs of very extensive underhand dealings, when in office, of the worthies referred to. I record this circumstance to show under what motive the following statement was made, and at the same time, while testifying to my pledge to restore Joteshwur's papers (if sanctioned by Government), should his disclosures prove true, distinctly declaring that I shall consider myself at full liberty to make use of the proofs they contain towards prosecuting the former carbarees, should the measure be deemed advisable by Government, in the event of the informant's statement proving false.

In this understanding, Joteshwur Echaram deposed as follows:

TRANSLATION of the Deposition* of Joteshurer Echaram; religion, Hindoo; caste, Naggur Brahmin; profession, Gomashtha in the Firm of Hurree Bhugtee; aged 37; Inhabitant of Baroda; made before the Resident at Baroda on the 21st of July 1850.

* On oath.

Question. As you were deputed to Bombay by Shet Hurree Bhugtee, state what occurred there?—*Answer.* About Sumvut 1904 (A.D. 1848) the moonim gomashtha of my shet, by name Baba Nafra, called me one night, about eight o'clock, to his house, and desired me to proceed to Bombay, as a case of our shet is going on there, and that he had taken the opinion of Dufturdar Nursoo Punt Dada in the matter, who said, "to send a person of yours to Bombay, and on his going to Mr. Reid the business would be instantly done." Nursoo Punt Dada, Lulloo Bhugwan, our shet's gomashtha, and Bhugwan Bhowanee, were seated there at the time. I then returned home. In the same year, about Ashar or Shrawun,* I went to Bombay, and put up in the house of Thukur Jootha Hurka, near Lowarcharry, for which I paid rent at five rupees per month; but nothing was done about the business on which I was sent. A person, however, by name Seesa Appa, a Deecanee, residing near Khara Kooa, asked me why I came. I told him that I came regarding a case of my shet, Hurree Bhugtee, but which had not been done; when he said, "There is a gentleman, by name Creed† Sahib, residing at Mazagon," to whom I should go, and who would do my business. On this I went to Mr. Creed, and mentioned all the particulars of the case, when he asked what I would give him. I replied that I would pay at present 2,000 rupees, and after the business was done I would do as he would bid me. I then delivered to that gentleman three or four notes, amounting to 2,000 rupees, but saw no signs of my case being settled. I then went again to Mr. Creed, and said that my case has not yet been settled, though I had paid him 2,000 rupees; when he said that Mr. Reid was angry with me; and as that gentleman was about going to Europe, to bring 10,000 rupees to pay to him. I asked to be introduced to that gentleman, when I would pay the amount into his hands. Mr. Creed replied, that as I was an inhabitant of Baroda, and came to Bombay to make a complaint, he (Mr. Reid) would not receive any money from the hands of any native like myself. Being anxious to have my case settled, and as Mr. Reid was about going to Europe, I delivered to Mr. Creed about five or six notes, amounting to 10,000 rupees, who told me to give him 200 rupees to buy a horse, when I gave him a note for that amount.

* July or August.

You say Mr. Creed, in the name of Mr. Reid, received from you notes as above stated; did you go to Mr. Reid to ascertain if he received them?—I did not go to Mr. Reid to ascertain if he received them or not.

You have stated that you paid the amount to Mr. Creed; on what business was this gentleman employed?—I do not know.

Who was present with you at the time you paid the money to Mr. Creed?—I was alone.

On account of what business did you give the money to Mr. Creed?—The money was paid regarding the case of Joitabae Satanee's son, Gungadhur Shastrees, and four or five others, which were then going on.

After the money was paid, was your business done?—The business has not yet been settled.

Did you go to any gentleman to give presents?—I have heard that Bhanabhoy had taken with him some fine clothes to present the ladies, so I took from the shop two dooputta and one pugree, to present them to some person; but I never gave them to any one. I have got them by me. Baba gave me a pagree and shella for my own use.

Did you ever go to the bungalow of Mr. Reid?—I went once to Mr. Reid's house, who inquired after the shet's health.

You state you once met Mr. Reid; was it before or after the notes were delivered to Mr. Creed?—I visited Mr. Reid before I gave the notes to Mr. Creed; but no conversation passed between Mr. Reid and myself about paying the money.

On what business was Mr. Reid employed?—He was in the Council.

You have stated above that you paid money to Mr. Creed for the purpose of giving it to Mr. Reid; what trust had you in Mr. Creed that you should give so much from the shop to this gentleman?—Mr. Creed told me that my business would be done, and that between us is Providence; so I put my faith on his word, and gave him the notes. This gentleman did not tell me his name; but I learnt from his servants that it was Mr. Creed, who gave me great assurances, and took his oath, and administered the same to me. After my return to Baroda I heard that our case which was going on regarding the bhandree‡ was settled.

Was Bhanabhoy with you in Bombay?—He was sent to Bombay one year before me; as no trust was placed in him, I was sent in his stead, and Bhanabhoy was recalled to Baroda. After my return to Baroda, Baba Nafra told me that 10,000 rupees was expended; but our business was not done when I told him that our case about the bhandree was done.

Why was no trust placed in Bhana?—He used to talk very big; therefore no trust was placed in him; so I was sent in his place.

Did you and Bhanabhoy meet together?—No.

From

† It cannot be ascertained, from the deponent's indistinct pronounciation of the name, whether it is "Creed," "Creek," or perhaps a corruption for "Clerk."

‡ Meaning that of Govind Row Guicowar, in which I had recommended the withdrawal of the Sowcar's Bhandree.—(Signed) J. O.

From where did you bring the notes which you gave Mr. Creed?—I got these notes from Paruk and Vuruzlall Doolubh's shop, near the cloth market, by letters of advice sent from here. An account of this may be written in Vuruzlall's chopra. I kept a chopra of accounts, but I did not keep any about the money paid to Mr. Creed, as the matter was to be told to Baba orally.

You have stated above that when Baba called upon you to proceed to Bombay, Nursoo Punt and others were sitting at the time; in what month was this?—It was in the month of Ashar or Shrawun (July or August).

On the 22d July I again addressed the Chief Secretary, forwarding the above deposition, and suggesting measures for tracing the notes said to have been given to Mr. Creed, to which the following reply was returned on the 1st August:

"I am directed by the Right honourable the Governor in Council to acknowledge the receipt of your private note to my address, dated the 22d ultimo, and to refer you to my communication on the subject of the 18th idem (No. 155).

"I am at the same time desired to transmit, for your information, copy of the report of the Advocate-general, dated the 17th ultimo, on your letter of the 13th idem, together with transcript of a further demi-official from that officer of the 31st ultimo."

"Report of the Advocate-general, dated the 17th July 1850:

"The papers referred to cannot be legally seized, except under civil process, if the transactions relate to mere money demands and accounts; or if any crime is involved, by any criminal falsification of accounts, on information on oath laid before a magistrate."

"Demi-official, from the Advocate-general, dated 31 July 1850:

"Nothing can be done on this, except in the mode stated in my last communication to you, within the Supreme Court's local jurisdiction."

On the 15th August I received an anonymous letter from Bombay, which, although anonymous, is deserving of attention, as confirmatory of Joteshwur's revelations, and evidently written in ignorance of the disclosures he had made in his second deposition, while the writer was only aware of the first statement having been taken, in which Joteshwur disclosed nothing. And it will be seen that it subsequently received further confirmation by the admission of Echaram Wunarsee, the principal gomashta of Hurry Bhugtee's firm, of the fact stated in the letter, of a further sum of 2,500 rupees having lately been sent to Bombay.

Accordingly I forwarded a translation of this communication to Mr. Malet, on the 16th August, with the following letter:

"With reference to the subject of my private notes, dated 13th and 22d ultimo, and of your replies, dated 18th ultimo and 1st instant, I beg to transmit, for your information, and such notice as it may be deemed worthy of, translation of an anonymous communication received yesterday, which, you will observe, clearly indicates that the European mentioned in Joteshwur Echaram's second statement as "Creek Sahib," (which I then supposed might stand for Creed or Clerk, being unable distinctly to make out the name, owing to the faulty pronunciation of the deponent), is a Mr. Craig, which name I see recorded in the calendar as 'clerk in the Secret and Political Department of the Secretariate, residing at Mazagam.'

"From what appears in this document (which, although anonymous, is so far deserving of attention, that it confirms much that is disclosed in Joteshwur's very reluctant testimony), there can be little doubt that Mr. Craig is the party alluded to by the latter as the person who made such infamous use of Mr. Reid's name.

"As Government was debarred, by legal forms, from adopting at the time the steps which I took the liberty to suggest for obtaining the papers left in Bombay by Joteshwur Echaram, or for tracing the notes said to have been paid by him to Mr. Craig, I fear there is no hope now of satisfactorily proving the transaction; and I regret that I was not honoured by the communication with your first letter of the Advocate-general's opinion forwarded with your second, as I should have done myself the honour to forward such information on oath, as might yet, perhaps, have enabled you to effect the object. After the further delay, however, of 14 days, which had intervened between your first and second communications,

munications, there could be no hope of finding the papers, which will, of course, have been secured long ere this by Baba Nafra's agents, who, it appears, from the accompanying revelations, are at work in Bombay to counteract the investigation on which I am engaged."

Anonymous Letter alluded to above.

"My object in writing to you is this, that I hear you have taken the deposition of the gomashtha of Hurry Bhugtee, by name Joteshwur, who, I believe, has not confessed to anything at Baroda. But when he formerly came here, he brought with him 10,000 rupees, and told the Setanee that he gave this amount to Mr. Reid; but this money was divided among Ragoba Simpey, employed in the Military Pay Office, Mr. Craig, a half-caste, and another person, a half-caste, also in the Political Department. Joteshwur lived in the house of Choota (Jootha) Hurka, and close to him lived the above person, named Ragoba Simpey. Joteshwur has now sent a hoondie for 2,500 rupees, on Dyaram Atmaram, for payment to Ragoba. The karbarry of Joteshwur, by name Bappoo Sewlal, is here. This person and Ragoba took 1,500 rupees out of the 2,500 rupees, and gave it to Captain M'Donald, whose receipt is with Ragoba Simpey. Bappoo Sewlal, the karkoon of Hurry Bhugtee, and Ragoba, went to Mr. Howard, the barrister, also to Mr. Leggett, lawyer, and Mr. Cole, clerk of the Accountant-general's Office, and they got Mr. Howard to prepare a petition, on a promise of paying him something for his trouble. He took the deposition of Joiteebae Setanee in English, and intends to send it to Government. Such is the case here. Joteshwur writes from Baroda to Ragoba Dada and Bappoobhoy, desiring them to do the business satisfactorily, when the Setanee and Baba would not forget them. That in the inquiry which was instituted at Baroda about the 10,000 rupees, he did not mention Dada Sahib's name; therefore not to fear anything. That when they came to leave him in the steamer, the conversation which then passed between them may be relied upon. In this way business is being done here; and, as you are instituting inquiries in this case at Baroda, there is no difficulty in calling those persons before you. Bappoo Sewlal was formerly gomashtha of Kandass Wagjee; but for some misconduct he was dismissed, and is now employed by Hurry Bhugtee as karkoon to Joteshwur, in Bombay. The gomashtha has given it out that he is kept here in consequence of his having to make some reply to the complaint made against him by one Gunputrow Dhondey in the Court; but all this is untrue. Bomonjee Bawa, Atwaram Sonar, Ragoba Simpey, Mr. Leggett, lawyer, Mr. Cole, and Mr. Howard, are making 'khutput' in this case. Bappoo Sewlal and Nathjee, and another of his associates, are the persons who give money and furnish information to those persons; and, as this has come to my knowledge, I have informed you of it, in order that you may institute such inquiries as may appear to you proper."

In consequence of what is stated in the above communication, Joteshwur Echaram was again examined, who denied all knowledge of the hoondie for 2,500 rupees, said to have been lately sent to Bombay, representing that he had been dismissed from employment by the firm of Hurry Bhugtee, in consequence of the disclosures he had made before me. Subsequently the present managing gomashtha of the firm, Echaram Wunsarsee, was examined, who, it will be seen, admits that a hoondie for 2,500 rupees was lately despatched to Bombay, and also confirms the statement of Joteshwur as to his having been dismissed.

TRANSLATION of the Deposition* of Joteshwur Echaram, made before the Resident on the 15th August 1850.

* On oath.

Question. On the 21st July 1850, your deposition was taken in the case of Joiteebae Setanee. After this, did you write to any person in Bombay?—*Answer.* After I had given my deposition before the Resident, I was sent for to the shop of Hurry Bhugtee, and was told by Echaram Gomashtha that my pay was stopped, and to recall my men from Bombay, and that their allowances had also been stopped. On this, I wrote a letter on Asar Vud 3d or 4th, of Sumvut 1906 (27 or 28 July 1850) to my men in Bombay, by name Bulvuntram and Bappoo Joshee, desiring them to come back soon here, as their allowances were stopped, and that I had been discharged. This is all I wrote.

Did you write any more letters besides this?—No.

Did you lately send, or desire any person to send, a hoondie to any one in Bombay?—I did not send, nor desire any one to send.

When you were about coming to this place, who came to take leave of you on board the steamer?—No strange person came to leave me on the steamer, except my gomashtha, Bulventram Hurreeram, Bappoo Sewukram, and my servant Balloo; these three persons came, and no one else.

Did any person, by name Ragoba, live near your house, and are you acquainted with him?—I am acquainted with Ragoba Dada, who lived near my house.

Did you send any hoondie to Bombay for payment to Ragoba?—I never sent any hoondie for payment to Ragoba.

Did you write any letter to Ragoba?—No.

You have stated above you did not write any letter to Ragoba; but it appears that you did write to Bappoobhoy and Ragoba, desiring them to have the business satisfactorily done, and that the Setanee and Baba will not forget them. That inquiries had been instituted regarding the 10,000 rupees, but that you did not mention their names; that when they came to leave you on board the steamer, the conversation which then passed between them and you may be relied upon, &c.: how is this; state all clearly?—Ragoba never came to take leave of me on board the steamer. I know nothing about writing the letter, or anything else.

Is there any person in Bombay, by name Nathjee, and do you know him?—I heard that after Baba Nafra was imprisoned, Nathjee Mookatee and Munorebhoy were sent from Baroda.

Did you know in Bombay one Captain M'Donald?—No.

* On oath.

TRANSLATION of the Deposition* of Echaram Wunarsee, Inhabitant of Baroda, serving as Goomashta in the Firm of Hurry Bhugtee; made before the Resident on the 15th August 1850.

Question. DID you lately give a hoondie on Bombay from your shop to Joteshwur, and, if so, when and on what day was it given?—*Answer.* Previous to his being confined, Baba Nafra desired me, on Jotvud 5th of this year (29 June 1850) to write a letter to our agent in Bombay, by name Vrujlal Doolub, to pay Bappoo Sevakram 2,500 rupees on the part of Joteshwur, and to take and forward his receipt here; accordingly I wrote to Vrujlal Doolub the same day, who, after paying the amount to Bappoo Sevakram, sent his receipt here, which is here produced. This receipt is dated Jetvud 10th (4 July). The payment of this money to Joteshwur has been entered in the accounts.

When you sent a letter of advice to pay 2,500 rupees, did Joteshwur come to you, or to Baba, to speak about it?—This letter of advice was sent in consequence of Joteshwur having said something to Baba Sahib, but nothing was said to me.

On what day did you tell Joteshwur that he is discharged, and to recall his goomashta and others from Bombay; give this date?—On Assur Sood 3d (12 July) I told Joteshwur he is discharged from this date, and to recall his men from Bombay.

For what purpose did you send a letter of advice to pay Bappoo Sevakam the sum of 2,500 rupees?—Baba Sahib, or Joteshwur, must know for what purpose this letter of advice was sent; I do not know.

After Baba Sahib was confined, did you write to the shet's agent in Bombay not to pay the amount to Joteshwur and others?—Joteshwur was informed on Assar Sood 3d (12 July) of his discharge, and two or three days after this a letter was sent to Vrujlal Doolub, desiring him not to pay a pice to our goomashta without an order from here. A reply was received in the name of the shet, dated Assur Sood 16th (24 July), stating that not a dokra would be paid from this date to any one without an order is received from him.

Seeing that Government could take no steps to aid me in tracing this transaction, I sought other means to do so, and with this view called on the firm of Hurry Bhugtee to furnish me with a letter to their agents in Bombay (by whom Joteshwur has deposed to having been furnished with the bank notes and cash referred to), directing them to display their books to the bearer of the letter. This the firm, being no longer under the evil sway of Baba Nafra, readily did, as I desired; and on the 19th August I forwarded the letter to a gentleman in Bombay authorized to communicate on the subject with the Chief Secretary, with a request that he would entrust it to a native gentleman in whose zeal, integrity, and discretion I have the greatest confidence, and enclosing to the latter an open note of instructions how to act. That gentleman's reply, dated 30th August, from which I quote below, gives the result of the scrutiny, which fully confirms Joteshwur's statement as to the fact of his having drawn notes and cash from the agents in Bombay to the amount of 19,000 or 20,000 rupees. But, unfortunately, the numbers of the notes not having been recorded in the agent's books, further trace has yet been unavailing; but I still hope that the inquiries

inquiries on which my friend is engaged may yet throw further light on the subject. The fact, however, that bank notes to the amount of 10,000 rupees were received, and cash besides to the amount of 9,000 to 10,000 rupees, is strongly corroborative of Joteshwur's assertion that he expended the money in the manner he asserts, supported, as his testimony is, by the disclosures of the anonymous petition, with the writer of which he could scarcely possibly be in collusion. Whether Government took any steps to investigate Mr. Craig's conduct in consequence of my communication, dated 16th ultimo, I have not been informed.

Extract.—"He (my native friend) has seen the shroff's books, and taken a copy of the various items* entered as paid to Joteshwur. Only one of those was paid in notes. The amount was 10,000 rupees, in eight notes of 1,000 each, and four notes of 500 each; but the numbers were not registered. All the other sums were paid in ready cash. The total amount paid appears to have been about 19,000 or 20,000 rupees. I have been to Mr. Stuart, of the Bombay Bank, to try and trace the notes, but have no hope of being able to do so, as we do not know the numbers."

The following despositions of gomashas of Hurry Bhugtee's firm, taken on the 22d July last, afford direct proof as to the object of Joteshwur's mission, and to the fact that he was deputed at the instigation of Nursoo Punt:

TRANSLATION of the Deposition on oath of Bhugwan Bhowanee, Inhabitant of Baroda, as Gomashta in the Firm of Hurry Bhugtee; made before the Resident on the 22d July 1850.

Question. It appears that when Baba Nafra directed Joteshwur Echaram to proceed to Bombay you were present; state who else were there, and on what condition he was sent? —*Answer.* About Assarwas, of Sumvut 1904 (July 1848), at eight or nine o'clock at night, I and Lulloo Bhugwan went to the house of my shet's gomashta, Baba Nafra: while we three were seated, Nursoo Ba came there: Baba Nafra told him that the case of Joitabae's son is going on, and that Joitabae's mother, Larbaee, is gone to Bombay, and preferring petitions; therefore what is to be done? Nursoo Ba said, that as Larbaee is there, the case will be carried to great lengths, and will become one of importance, and advised him to send a clever man on his part to Bombay, where, if money be required to pay any one, the same should be paid; but some way or other to have the business settled. Baba replied, that among his gomashas there is no one clever, they being Bannians, and cannot be sent; but there is in Baroda "Gor," of Sarabhaee, and Vrijlal Mehta, by name Joteshwur, a Nagur Brahmin, who has been to Bombay and back again, and is clever in doing business with the English, and to send him. After having deliberated on this matter, Joteshwur was sent for, who came, and after explaining to him the above case of Joitabae to be settled, Baba Sahib and Nursoooba sat aside. Joteshwur was then informed of all they had to say to him, after which we all sat together. Joteshwur was then desired to go home, at which time Baba and Nursoo Punt told him that he should meet Reid Sahib Bahdoor privately, who will settle the business for him; after hearing this, Joteshwur returned to his house. But what Baba Sahib and Nursoooba said to Joteshwur when they sat one side together, or what arrangements were made, I do not know; but when Nursoooba and Baba Sahib told Joteshwur to see Reid Sahib, I concluded that arrangement was made to pay money to this gentleman; but of this he must know best. Two or three days after this a hoondie for 2,000 rupees was obtained from the shop of Bechur Soorchund, and given to Joteshwur, drawn on a sowcar in Bombay, which Joteshwur took with him to Bombay.

When Joteshwur was sent to Bombay, was he entrusted with any other business besides that mentioned above?—At that time he was not entrusted with any other business, but after he had gone to Bombay letters used to pass between Joteshwur and Baba. If he was desired to take any other case in hand Baba must know it; I do not, as Baba used to receive and answer the letters himself.

Who has got the letters received from Bombay?—They are not in the shop, but Baba Nafra has them.

When Joteshwur was sent to Bombay, the case of Joitabae's son was not going on there: it was going on in Baroda, before the Guicowar, and it cannot be believed that Joteshwur was sent to Bombay on this business; therefore state all that is true?—When Joteshwur went to Bombay, the cases of Gungadhur Shastree, Bhasker Row Withul, &c., were going on; but I had heard he was sent for this purpose; as their conversation was private, how could I know; I therefore stated above that Joteshwur was sent on account of Joitabae's case.

Did Nursoo Punt come again to Baba after he had been there where you were sitting? —He came two, three, or four times, in consequence of his relationship with Baba, and also to consult with him; but if he came to the shop, and Baba was not there, he would remain a little while, and then go away.

Did

* Received since this was written, and now appended.—(Signed) J. Outram.

Did Lulloo Bhugwan hear as much as you, or something more or less?—I being a gomashita of Hurree Bhugtee's, Baba would not say much to me; but, owing to the friendship between Lulloo and Baba, the latter may have spoken more to the former, by which the former may know more than myself.

TRANSLATION of Gomashta Lulloo's Deposition before the Resident, on the 22d July 1850.

Question. STATE what you know about Joteshwur Echaram having been sent to Bombay by Baba Nafrā?—**Answer.** There being several cases of dispute pending connected with the firm of Hurree Bhuktee, viz. regarding the British Government guarantee, Gungadhur Shastree, Bhasker Row Withul, Govind Row Guicowar, &c., I advised Baba Nafrā to send a vukeel to Bombay on the part of the firm; but he would not agree. Afterwards, about the month of Asar (July) in 1904 (A. D. 1848), Bhugwan and I went to Baba's house at about nine o'clock at night; while there, Nursoo Punt came; in alluding to the above-mentioned cases, Baba asked Nursoo Punt's advice as to how he should act regarding them, and also that of Joitabae's child; he replied, that it would be well to send a clever wukeel to Bombay; Baba approved of the proposition, but said that he did not know of any intelligent person whom he could appoint for the duty; Nursoo Punt recommended him to send Joteshwur Echaram, the "goor," of Dufterdars Vrijlall and Sarabhye, as being a good man of business, and acquainted with the character of English gentlemen. Joteshwur was then sent for by Baba, who asked him to go to Bombay; to this he agreed, provided a proper arrangement was made for his subsistence, stating at the same time that he knew nobody at the residency. Nursoo Punt said, if he went to call upon Mr. Reid, and made proper arrangements, informing that gentleman of all the circumstances of the case, his business would be managed. Joteshwur agreed to go, and asked Baba what arrangements he intended to make regarding his expenses. Baba replied that he would give a hoondie for 2,000 rupees at once, and that on hearing from Bombay what arrangements had been made, he would send as much as he required. Joteshwur and I then went home; three days after he received a hoondie for 2,000 rupees from Baba, and went to Bombay.

Was Nursoo Punt in the habit of visiting Baba Nafrā?—They are relations, and Baba never acted without consulting Nursoo Punt: whenever his advice was required, he used to visit Baba.

Bhugwan states that Baba and Nursoo Punt consulted by themselves; how is this?—Bhugwan was sitting apart, while we three, Baba, Nursoo Punt, and myself, conversed together on the subject.

Before me on oath, this 22d day of July 1850.

(signed) J. Outram, Resident.

(True translations.)

(signed) M. Batty, Assistant Resident.

MEMORANDUM of the under-mentioned Sums paid by Beerjall Doolubbass Wance Soukar, at Bombay, to Joteswur Echaram, Vakeel of Baba Nafrā, by order of Hurree Bhugtee, Soukar at Baroda, as follows; viz.

			Sumvut 1904, Guzerattee :	Rs.	Rs.
Margashirsh Shood 5th	-	Monday	- Paid ready cash to Bulvunt Row, cook, for Joteswur Echaram	100	
Margashirsh Vud 13th	-	Tuesday	- Ditto - - to - - ditto - - for - - ditto	100	
Falgon Shood 10th	-	Tuesday	- Ditto - - to - - ditto - - for - - ditto	100	
Jest Shood 1st	-	Friday	- Ditto - - to Joteswur Echaram	50	
Jest Shood 10th	-	Sunday	- Ditto - - to - - ditto	200	
Jest Vud 10th	-	Monday	- Ditto - - to - - ditto	70	
Ashar Shood 2d	-	Sunday	- Ditto 50, and 50 rupees bank note to ditto	100	
					720
			Sumvut 1905, Guzerattee :	Rs.	
Kartuk Shood 8th	-	Saturday	- Paid ready cash to Joteswur Echaram	75	
Margashirsh Vud 4th	-	Thursday	- Ditto - - to Bulvunt Row, cook, for Joteswur	50	
Margashirsh Vud 10th	-	Wednesday	- Ditto - - to Joteswur Echaram	2,000 *	
Poush Shood 14th	-	Sunday	- Ditto - - to Bulvunt Row, cook, for ditto	50	
Poush Vud 7th	-	Monday	- Ditto - - to Joteswur Echaram	151	
Magh Shood 3d	-	Saturday	- Ditto - - to - - ditto	50	
Falgon Shood 3d	-	Sunday	- Ditto - - to - - ditto	50	
Falgon Shood 4th	-	Monday	- Ditto - - to Bulvunt Row, cook, for Joteswur Echaram	61	
Falgon Vud 7th	-	Friday	- Ditto - - to - - ditto - - for - - ditto	50	
Falgon Vud 9th	-	Sunday	- Ditto - - to Joteswur Echaram	215	
Chytru Shood 10th	-	Monday	- Ditto - - to Bulvunt Row, cook, for Joteswur Echaram	50	
Vaishak Shood 7th	-	Sunday	- Ditto - - to Joteswur Echaram	25	
Jest Shood 5th	-	Saturday	- Ditto - - to Bulvunt Row, cook, for Joteswur Echaram	25	
Ashad Shood 5th	-	Monday	- Ditto - - to - - ditto - - for - - ditto	25	
Ashad Vud 9th	-	Saturday	- Ditto - - to - - ditto - - for - - ditto	50	
Sharawan Shood 7th	-	Thursday	- Ditto - - to - - ditto - - for - - ditto	25	
Bhadrapud Shood 5th	-	Thursday	- Ditto - - to - - ditto - - for - - ditto	25	
Bhadrapud Vud 11th	-	Wednesday	- Ditto - - to - - ditto - - for - - ditto	100	
Ashwin Shood 5th	-	Friday	- Ditto - - to - - ditto - - for - - ditto	25	
Ashwin Shood 9th	-	Wednesday	- Ditto - - to - - ditto - - for - - ditto	25	
Ashwin Vud 14th	-	Monday	- Ditto - - to Joteswur Echaram	200	
					3,327 *
Poush Vud 10th	-	Thursday	- Paid bank notes to Joteswur Echaram; viz. Eight notes 1,000-rupees each, and four notes 500 rupees each	- - -	10,000 *
				Carried forward	Rs. 14,047

				Brought forward - - -	Rs. -	Rs. 14,047
				Sunvut 1906, Guzerattee :		
Kartuk Vud 10th	-	Friday	-	Paid ready cash to Joteswur Echaram	-	275
Poush Vud 10th	-	Tuesday	-	Ditto - - to Bulvunt Row, for Joteswur Echaram	-	20
Falgon Shood 13th	-	Sunday	-	Ditto - - to - ditto - for - - ditto	-	25
Chytru Shood 5th	-	Monday	-	Ditto - - to - ditto - for - - ditto	-	25
Chytru Vud 9th	-	Friday	-	Ditto - - to - ditto - for - - ditto	-	50
Chytru Vud 12th	-	Tuesday	-	Ditto - - to - ditto - for - - ditto	-	200
Vaishak Vud 3d	-	Monday	-	Ditto - - to - ditto - for - - ditto	-	1,400
Vaishak Vud 8th	-	Saturday	-	Ditto - - to - ditto - for - - ditto	-	50
Vaishak Vud 12th	-	Wednesday	-	Ditto - - to - ditto - for - - ditto	-	300
Vaishak Shood 4th	-	Wednesday	-	Ditto - - to - ditto - for - - ditto	-	100
Vaishak Shood 4th	-	Friday	-	Ditto - - to - ditto - for - - ditto	-	25
Jest Vud 10th	-	Friday	-	Ditto - - to Bapooram Shevukram Bulvunt Row, cook, for - ditto	-	2,500
					Rs.	4,970
					Rs.	19,017

N.B.—The items marked * correspond with the sums stated in Joteswur's deposition of the 21st July to have been given to Mr. Craig.

(True copy.)

(signed) J. Outram, Resident.

(signed) M. Battye, Assistant Resident.

— No. 26. —

MINUTE by the Right honourable the Governor, concurred in by the Board.

No. 522 (A.)

INQUIRIES are in progress in this case in Bombay, and their result may be awaited.

(signed) Falkland.
J. P. Willoughby.
D. A. Blane.

11 October 1850.

— No. 27. —

No. 229 of 1850.

From Lieutenant-colonel J. Outram, c. B., Resident at Baroda, to Arthur Malet, Esq., Chief Secretary to Government, Bombay.

No. 524.

Sir,

WITH reference to the Appendix (H.) to my letter dated 7th instant, No. 207 (B.), detailing proceedings in an inquiry into the cause of the mission to Bombay of Joteshwur Echaram, a gomashtha of the firm of Hurree Bhugtee, I have the honour to transmit, for the information of the Right honourable the Governor in Council, copy of the statement of Ragobah, a clerk in the Pay-office, made before Captain Barr, Paymaster-general of the Army, on the 12th instant, which throws further light on the transactions referred to in that communication.

Political Department.

I at the same time beg to submit translation of my further examination of Joteshwur Echaram, in consequence of the revelations of Ragobah; from which it will be seen that he has failed to fulfil the condition on which alone he could hope for his papers being restored to him without examination.

Under these circumstances, I beg to be favoured with instructions as to whether I am to enter on the examination of the said papers.

I have, &c.

(signed) J. Outram,
Resident.

Baroda Residency, 26 September 1850.

DEPOSITION taken on the 12th September 1850.

I HAD friendship with Mr. Craig; he wrote an anonymous letter through a friend, whose name I don't know, to Baba Nafra; shortly after sending this letter, he wrote a note to me, telling me that if any one comes to you from Baba Nafra, bring him to my house. I went and asked him what the meaning of his writing to me was: he said, "Ah; you will understand

stand all when the man comes to you from Baba Nafra." Some time after this, Joteshwur came to me, and I took him to Mr. Craig's house (this was about the month of June or July 1848). Joteshwur brought a letter to Craig from Baba Nafra, in which Baba Nafra acknowledges the receipt of Craig's anonymous letter, and said that he had forwarded 2,000 rupees; he also referred in that letter to a former agent, named Bhana Joteshwur; and Craig then left me, and went into an inner room, and having remained a short time, Joteshwur came out, and we went away together. In about five or six days afterwards, I again accompanied Joteshwur to Mr. Craig's house, when I saw Joteshwur give Craig 2,000 rupees in notes; I asked Joteshwur what was the reason of his giving this sum to Craig? Craig said, in answer to my questions to Joteshwur, that Baba Nafra's Wakeel Bhana had made a petition in a dispute between Hurry Bhugtee and the late Gungathur Shastree's sons, regarding the Potedaree transaction, and that he (Craig) had it in his power to get the case settled in favour of Hurry Bhugtee, through the strong influence which he possessed; I asked him what his influence was, and with whom; he did not reply to this, but said that he required the 2,000 rupees to pay to this influential person. I then told both Craig and Joteshwur that I was a poor man, and that if I went on in this matter I should be ruined, and that I did not like to have anything to do with it. Joteshwur one day, about 15 or 20 days after the above meeting, brought a letter to me from Baba Nafra, asking me to assist Joteshwur and Craig in getting a settlement in favour of Hurree Bhugtee, and holding out offers of rewards to me for any service I might perform in this matter: at first I refused, but at the persuasion of Craig and Joteshwur I was induced to enter into the matter with them. Craig gave me a certain information in Hurry Bhugtee's matter, which I again told Joteshwur, and he then wrote it up to Baba Nafra, saying the case would be settled in Hurry Bhugtee's favour. Many letters passed between Baba Nafra, his agent Joteshwur, and Craig; in one of these Baba Nafra wrote regarding a claim of the firm of Hurry Bhugtee and against Bhaskerrow Wittul, and asking if Mr. Craig could do anything in that matter; he also referred in this letter to the dispute with Jotabae, asking Craig's influence and assistance in all. There was a claim of Hurry Bhugtee against Govindrow Guicowar, and in this some dispute arose. Baba Nafra wrote about this matter also, and said that the Resident had asked for the accounts of the firm of Hurry Bhugtee against Govindrow Guicowar, and had declared that a forgery had been committed in the bond, and that the accounts were false. Colonel Outram told Baba Nafra that he would take away the guarantee from his firm. Colonel Outram reported the business to Government. Baba Nafra upon this wrote through Joteshwur to Craig, to ask him to exert the influence he had in favour of Hurry Bhugtee's firm, and against the decision of Colonel Outram. A great deal of correspondence occurred about this matter, and Joteshwur often went to see Craig; from what I have heard from Joteshwur, I am convinced that Craig made him believe that it was necessary to bribe Mr. Reid, and on the representation of this to Baba Nafra, a sum of 10,000 rupees was given to Craig. I was not present when this sum was actually paid to Craig, but Joteshwur showed it to me, and said, I am going to pay this to Craig; and Joteshwur himself took the amount to him. Shortly after this, Craig wrote me a note, saying he was obliged to leave Bombay on three months' leave, but that when he returned he would not neglect Baba Nafra's business; he also said he had made bundobust about all the business of the firm of Hurry Bhugtee; in this note he said he had received the ten; this I understood him to refer to 10,000 rupees which he had received from Joteshwur; in saying that he had made bundobust in all the business, he meant in the case of Shastree's sons, Baskerrow Wittul, that of Jotebaee, as well as the matter of the disputed accounts between the firm and Govindrow Guicowar. Joteshwur about this time left Bombay, and as Mr. Craig did not return at the expiration of the three months, Joteshwur wrote to me how this was, and said he thought he must have gone away with the money; this letter was written through Bulwuntrow Cook. I wrote, and said that Craig had not come back; Joteshwur after this used from time to time to send letters, inquiring for Mr. Craig's return; and I used to answer through Bulwuntrow that he had not returned. Shortly after this, Joteshwur returned to Bombay; finding that Craig had not returned, Joteshwur went to his mother, but she denied all knowledge of what had taken place between him and her son. Joteshwur asked me to write to Craig, and I did so, and accused him of having deceived Joteshwur and Baba Nafra, by saying he had managed their affairs for them. I also referred to his having acknowledged to me his having received 10,000 rupees on this account, and told him that he was acting very badly, and that if he did not return to Bombay, Joteshwur might through some one report the whole transactions, and then that both he (Craig) and I would get into mischief. I also told him that I would go and speak to his brother-in-law, Mr. Smith. My object in this threat of speaking to Mr. Smith was, that an enmity had arisen between Craig and Smith, and the latter would, I thought, be glad to get such a hold over Craig as a knowledge of these matters would give him, and Craig would therefore be frightened if he knew I had told Mr. Smith. To this letter to Craig I received an answer, through his mother, saying that if Jor Joteshwur were precipitate in the matter, it would only ruin Baba Nafra, and that he could not return to Bombay at present in consequence of the disgrace he had got into; this referred to some disgraceful connexion between him and his own wife's sister; this letter to Craig and his answer to me must have been about August 1849, but to this I cannot speak positively. I did not again have any correspondence.

In July last, Joteshwur having returned to Baroda, Bapobhoy was appointed agent for the Shetanee Mahaluxmee Bae, to receive a sum of money from Mr. Compton's office; and

and to defend a cause pending in the Supreme Court connected with the house of Hurry Bhugtee. 2,500 rupees were sent through Bapoo Bhoj to me. I expended this sum as follows:

1,000	rupees	to Mr. Leggett, attorney.
750	"	to Mr. Howard.
625	"	to Mr. Cole.
125	"	to Bapooobhoj, to current expenses.

For my share in these transactions I received 50 rupees as a present at my daughter's marriage, a new turban and dopulta, and a promise of further reward if the decisions on any of the cases made reference were favourable. When I heard Baba Nafru was arrested at Baroda, I destroyed all letters and other documents in my possession connected with this business. I should have stated that when Joteshwur went to Baroda, Craig asked him to bring a horse; but this Joteshwur was afraid of doing, lest it might be discovered; he therefore gave him 200 rupees, instead, to buy one.

(True copy.)

(signed) J. Outram, Resident.

TRANSLATION of a Deposition made on Oath before Lieutenant-colonel J. Outram, c. b., Resident, by Joteshwur Echaram, by caste Nagur Brahmin; occupation, Gomashta of Hurree Bhugtee's; aged about 37 years; Inhabitant of Baroda.

Question. FROM the statement of Ragobah Chippee, now received from Bombay, it appears that you have concealed some facts in your former statement relating to your deputation to Bombay, as Hurree Bhugtee's vukeel; so state, in truth, whatever more you may know about it?—*Answer.* Besides what I have already stated regarding the payment of 12,000 rupees made to Mr. Creek, &c. &c., I do not recollect anything, except that I told Ragobah to inform Mr. Creek that I would pay and satisfy him with something more than the above sum if my business is done; upon which Ragobah said, "Let the business be done first."

Did you write to Ragobah and Bappooobhaee, in Bombay, to the effect that if they do the business, Baba and Settanee would reward them?—I did not.

Did you write to Ragobah and Bappooobhaee "that inquiry was going on in Baroda regarding 10,000 rupees; but fear nothing, for you have not mentioned Dada Sahib's name?"—I did not write letter of the kind.

Whom do you call Dada Sahib?—Ragoba.

Did Baba Nafru give you any letter for Mr. Creek?—No letter was sent by Baba through me.

In the letter Baba Nafru sent you at Bombay, from Baroda for Ragoba, what more was written than that he and Mr. Creek should assist you in Hurree Bhugtee's case, for which they would get something?—Baba never sent through me any such letter for Ragoba or Mr. Creek; in fact, such is not the custom.

It is true that, five or six days after your being introduced to Mr. Creek by Ragoba, you went to the former with the latter, and gave him 2,000 rupees?—Yes.

Formerly you stated that you were introduced to Mr. Creek by Shesa Appa, and now you say by Ragoba: state which is true?—When I went to Bombay first, I met Shesa Appa, who introduced me to Ragoba, and the latter afterwards introduced me to Mr. Creek; but he (Ragoba) being a Government servant, I concealed his name, and mentioned Shesee Appa's.

Fifteen or 20 days after the payment of 2,000 rupees, Mr. Creek desired Ragoba to send Baba Nafru certain information regarding Hurree Bhugtee's case, which Ragoba bade you to do; state what it was, and how it was written?—I do not recollect it now.

Did you write the letter as Mr. Creek told you?—Yes, the letter was written, to which a reply was received from Baba.

How is it that you recollect the letter which was written two years ago, and not its contents?—Owing to indisposition.

Did you ever write any letter to Ragoba and Bappooobhaee since your return to Baroda?—No, such is not the custom.

Did you go to the mother of Mr. Creek to ask her about anything, and if you did, what conversations were held?—Yes, I did go, and asked her when Mr. Creek would come, and also said that my business is not done, though money has been given; but what his mother said I do not recollect.

You were informed that the papers found concealed in a basket at your house were sealed, and would be returned to you on your telling the whole truth; but from your answers to the questions put to you on the receipt of Ragoba's statements from Bombay, it appears that you have concealed the fact of Ragoba's being concerned in these transactions; of the purport of the letter Mr. Creek caused to be written to Baba; of the letter written by Baba Nafru to Ragoba and Bappooobhaee; of the letter written by Baba to Mr. Creek; your having been introduced to Mr. Creek by Ragoba; of your writing Dada Sahib's name as not made known in the investigation regarding the 10,000 rupees at the Residency; of the letter you wrote to Ragoba and Bappooobhaee to the effect that "if they do the business,

Settanee and Baba would make them kooshee" (pleased). Thus you have concealed many facts, and not stated the whole truth; so the sanction of Government will be solicited to examine the papers found in the above-mentioned basket?—I have stated all what I knew; and if Sirkar wishes to make the inquiries, how could I say no.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

— No. 28. —

No. 525.

MINUTE by the Right honourable the Governor.

THE letter referred to in the commencement of this letter is not with me. I should therefore, as the matter rather presses, be obliged to my honourable colleagues to dispose of the matter.

14 October 1850. (signed) *Falkland*.

— No. 29. —

No. 526.

MINUTE by the Honourable Mr. *Willoughby*, concurred in by the Honourable Mr. *Blane*.

I THINK Lieutenant-colonel Outram should be informed that, if any of these papers refer to the charges he is now investigating, or establish fraud and corruption against any person now in the service of Government, he may make use of them; but otherwise they should be returned to the person from whom they were taken.

24 October 1850. (signed) *J. P. Willoughby*.
D. A. Blane.

— No. 30. —

No. 527.

No. 220 of 1850.—Secret Department.

From *H. E. Goldsmid*, Esq., Secretary to Government, Bombay, to
Lieut.-colonel *J. Outram*, Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter No. 229, dated the 26th September last, with enclosures, and to inform you, that if any of the papers therein referred to relate to charges which you are now investigating, or establish fraud and corruption against any person now in the service of Government, they may be made use of by you, but otherwise they should be returned to the person from whom they were taken.

I have, &c.

(signed) *H. E. Goldsmid*,
[Bombay Castle, 5 November 1850.] Secretary to Government.

— No. 31. —

No. 244 of 1850.—Political Department.

From Lieut.-colonel *J. Outram*, c. B., Resident at Baroda, to *Arthur Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

IN continuation of my letter, dated 26th ultimo, I have the honour to transmit in original a letter addressed by Ragoba, clerk in the Pay-office, to Captain Barr, dated 2d instant, which implicates Mr. Cole, a clerk in the Accountant-general's

general's office, in the transactions therein referred to, to the extent of receiving certain rings from Baba Nafra's son, which Captain Barr informs me were diamond, valued at 500 rupees.

2. In Ragoba's deposition, forwarded on the 26th ultimo, 625 rupees in cash are stated to have been paid to Mr. Cole; and it will be recollected that, in the anonymous petition which I submitted with my letter, under date the 16th August last, this person (Mr. Cole) was represented as having been busy in Baba Nafra's intrigues.

3. These circumstances may perhaps induce Government to cause an inquiry to be instituted into the conduct of Mr. Cole, as connected with Baroda affairs, which can have no connexion with his duties as clerk in the Accountant-general's office.

I have, &c.

(signed) *J. Outram,*
Resident.

Baroda Residency, 11 October 1850.

To Captain *H. J. Barr*, Military Paymaster.

Honoured Sir,

HOPING to be pardoned for the liberty I take in addressing these few lines on your Honor's valuable time, as Byramjee came to me yesterday evening, and told me all the circumstance what Baba Nafra related to Colonel Outram, and who wrote to your Honor in full particular, I am extremely sorry to state that which I had knew and done, all that I represented to your Honor in particular, and besides that Byramjee might have already brought to your Honor's notice, when his Highness the Gaekwar visited Bombay. Nafra's son had come, to whom, at his request, I introduced to Mr. Cole, on account of late Mr. Williams' business, when he presented him with two rings and a shawl, and also he gave me a pair of shawls and a turban. Except this, I have nothing to add than what I have given in my statement. Nafra sent his confidential agents, who resided here, might have procured informations, wrote letters as they think fit, and obtained money from him to hoard up themselves. I was at loss to understand their intrigue and craftiness. The firm of Hurree Bhugtee may make new claim upon Baba Nafra; so he lays all that has happened on my head, and says that he paid me a large amount; but it must be justified by his conduct and integrity, as I have no alternative. I am a poor forlorn, unfortunately involved in his business, for which I sincerely repent with cruel reflection. I have upon oath of my God fairly confessed to Byramjee what I had knew, and concealed nothing. I now submissively beg to entreat that your Honor would be so gracious as to take mercy upon my family, which is consisting of six children, a wife (pregnant eight months), mother, aunt, and myself, to subsist on; and pardon my fault, and relieve me from this fatal calamity (which confined me in bed with fever and cold) as I have no one in the world to look for support, except your Honor, as I have honestly and faithfully served 13 years in this office; but my ill-luck fated me thus. I sincerely hope that my family may obtain the necessary redress, for which benediction I shall feel a deep sense of gratitude for ever.

I lent my own money to Captain M'Donald, and that if Nafra, or his agents, might assert that they lent it through me, I shall suffer the loss as a penance.

I remain, &c.

Bombay, 2 October 1850. (signed) *Ragoba Moraba.*

— No. 32. —

MINUTE by the Right honourable the Governor, concurred in by the Board.

I AM informed privately that Captain H. Barr, who has obtained this and other information for Colonel Outram, wishes that any steps in this matter may be postponed for a few days, as he expects to obtain information of importance from Mr. Cole. This may, therefore, lie over for the present, Colonel Outram being informed, and the Secretary may mention the delay to Captain Barr.

(signed) *Falkland.*
J. P. Willoughby.
D. A. Blane.

21 October 1850, *and I certify that the above is a true copy of the original.*

— No. 33. —

MEMORANDUM by the Secretary to Government in-charge of the Political Department.

IN reply to the above, the Secretary has the honour to state, that Captain Barr has intimated to him that he will communicate to Lieutenant-colonel Outram any information he may have to furnish.

23 October 1850.

(signed) *H. E. Goldsmid.*

— No. 34. —

EXTRACT from Demi-official Letter from Captain *H. J. Barr* to *A. Malet*, Esq., Chief Secretary to Government, Bombay; dated 18th October 1850.

I HAVE the pleasure to send you a further communication from Outram. I think if you could postpone taking any steps regarding Mr. Cole for a few days, I may be able, through Outram, to suggest a course that will, I hope, obtain information of importance from him. I much fear, however, that the knowledge Mr. Smith has been allowed to gain by all the papers connected with Baba Nafra's affairs having been placed under his charge, will operate greatly against our coming at the truth. Smith being a brother-in-law of Craig's, he will naturally be disposed to throw all possible obstacles in the way of our investigations; but in addition to this, my suspicions against Smith himself have of late been strengthened since I first told you that I feared he was implicated.

(signed) *H. J. Barr.*

— No. 35. —

DEMI-OFFICIAL Letter from Captain *H. J. Barr* to *H. E. Goldsmid*, Esq., Secretary to Government, Bombay; dated 18th October 1850.

I SPOKE to Mr. Willoughby yesterday as to making any report direct to Government anent my share in the Baroda investigation, and he agrees with me in thinking that the best course is that I have already adopted, viz. to send all the information I may obtain through Colonel Outram. I have this morning had a hint which goes far to make me very much doubt Mr. Smith's honesty. I have sent on Outram's letter to Malet, with a private note from myself, telling him that if he can postpone taking any steps regarding Cole for a few days, I may be able to suggest a means of getting information of importance from him.

(signed) *H. J. Barr.*

— No. 36. —

DEMI-OFFICIAL Letter from Captain *H. J. Barr* to *A. Malet*, Esq., Chief Secretary to Government, Bombay; dated 26th October 1850.

HERE is the letter from Outram which I told you in my last I expected he would write. If the pardon proposed is to be held out to Cole, of course the sooner it is done the better, as intimation of the inquiries on foot has already reached the bazar. You must make the offer of pardon to Cole to rest entirely upon the amount and nature of the information he gives. If I can get any admission from him, so as to inculcate him, I will then confront him with Ragoba of my office, and trust to being able to get something out of him.

(signed) *H. J. Barr.*

— No. 37. —

From Lieutenant-colonel *J. Outram*, c. b., Resident, Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

WITH reference to my letter, dated 11th instant, No. 244, transmitting information received from Captain Barr, implicating Mr. Cole, a clerk in the Accountant-general's office, in certain dealings with Baba Nafra, the subject of previous correspondence, I have the honour to recommend, at the suggestion of Captain Barr, that that officer be empowered to hold out the offer of pardon to Mr. Cole, provided the information he gives is of such a nature as to lead to the conviction of the principals in those nefarious transactions; a consummation which I trust Government will be enabled to effect, through the able assistance of Captain Barr, by the measure which I now propose.

I have, &c.

(signed) *J. Outram*,
Resident.

Baroda Residency, 21 October 1850.

— No. 38. —

MINUTE by the Right honourable the Governor, concurred in by the Board.

I SHALL have no objection to a conditional promise of pardon being made to Mr. Cole for information expected from him, provided that my colleagues assent, and that the gentleman entrusted by Colonel Outram with the investigation of this matter thinks it will be conducive to the good of the public service to follow this course.

(signed) *Falkland*.
J. P. Willoughby.
D. A. Blane.

29 October 1850.

— Nos. 39 and 40. —

DEMI-OFFICIAL Note from *H. E. Goldsmid*, Esq., Secretary to Government, to
Captain *H. J. Barr*, dated 1 November 1850.

COLONEL OUTRAM'S letter of the 21st October has been placed before the Board, and Mr. Malet has requested me to inform you, that the conditional promise of pardon proposed by Colonel Outram may be made to Mr. Cole, provided you think "it will be conducive to the public service to follow this course."

(signed) *H. E. Goldsmid*.

— No. 41. —

No. 153 of 1851.—Political Department.

From Lieut.-colonel *J. Outram*, c. b., Resident at Baroda, to *Arthur Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to request that I may be furnished with the original letter of Ragoba Moroba, addressed to Captain Barr, which I forwarded to you with my letter, dated 11 October 1850, No. 244, the document being required for the purpose of being placed before the commission now setting at Baroda.

I have, &c.

(signed) *J. Outram*,
Resident.

Baroda Residency, 14 August 1851.

— No. 42. —

No. 3,825 of 1851.—Political Department.

OFFICE MEMORANDUM.

THE Chief Secretary begs to forward to the Resident at Baroda the original letter addressed by Ragoba Moroba to Captain Barr, as requested in the communication from that officer, dated the 14th instant, No. 153.

Bombay Castle, 18 August 1851. (signed) *A. Malet,*
Chief Secretary.

— No. 43. —

MINUTE by the Right honourable the Governor, subscribed to by the Board.

HAVING been informed that Mr. Craig, late a junior assistant in the political department of the secretariate, has been endeavouring to procure employment under Government in Calcutta, I propose to inform the Government of Bengal, Madras, and the North Western Provinces, of the accusation which, since his departure from Bombay, has been brought against him of having received a bribe of a large sum of money, under the pretence of being able to influence certain high official functionaries in a case before Government connected with affairs at Baroda.

19 February 1851. (signed) *Falkland.*
J. Grey.
J. P. Willoughby.
D. A. Blane.

— No. 44. —

Office, No. 52.

No. 3 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to the Secretary to the Government of India, Foreign Department, Fort William.

Sir,

1. I AM directed to state, for the information of the Honourable the President at Fort William in Council, that in the month of February 1849 Mr. Robert Dundas Craig, a junior assistant belonging to the political department in the secretariate, obtained leave of absence to proceed to Calcutta on private affairs for a period of three months; and not having returned on the expiration of that period, nor applied for an extension of leave, he was struck off the strength of the establishment.

2. Since Mr. Craig's departure, certain accusations against him, supported by credible evidence, have been laid before Government; that shortly before leaving Bombay he received a bribe of 10,000 rupees, on pretence of being able to influence certain high official functionaries in a case then under consideration connected with affairs at Baroda.

3. The Right honourable the Governor in Council deems it proper that the Government of India should be informed of this circumstance in case Mr. Craig should become an applicant for employment in the Bengal Presidency.

4. A copy of this letter will be forwarded to the Right honourable the Governor in Council at Madras, and to the Honourable the Lieutenant-governor of the North Western Provinces.

Bombay Castle, 20 February 1851. I have, &c.
(signed) *A. Malet,*
Chief Secretary.

— No. 45. —

No. 53 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to the Secretary to the Government of Fort St. George, Madras.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you, for the information of the Right honourable the Governor of Madras in Council, copy of a letter, No. 3, I have this day addressed to the Secretary to the Government of India at Fort William.

I have, &c.

(signed)

A. Malet,

Chief Secretary.

Bombay Castle, 20 February 1851.

— No. 46. —

No. 54 of 1851.—Secret.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to the Secretary to Government, N. W. Provinces.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you, for the information of the Honourable the Lieutenant-governor of the N. W. Provinces, copy of a letter, No. 3, I have this day addressed to the Secretary to the Government of India at Fort William.

I have, &c.

(signed)

A. Malet,

Chief Secretary.

Bombay Castle, 20 February 1851.

— No. 47. —

No. 11 of 1851.—Secret Department.

Office, No. 427.

OFFICE MEMORANDUM.

THE Chief Secretary to the Government of Bombay presents his compliments to the Secretary to the Government of India in the Foreign Department, Fort William, and requests to be informed whether the letter from this department, No. 3, dated the 20th February last, to his address, copy of which is annexed, reached him in due course.

This reference is made, as a rumour prevails in Bombay that Mr. Robert Dundas Craig, the person alluded to in the above letter, has obtained employment in the Custom-house at Calcutta.

(signed)

A. Malet,

Chief Secretary.

Bombay Castle, 5 December 1851.

— No. 48. —

From *E. Thomas*, Esq., Officiating Under Secretary to the Government of India, to *A. Malet*, Esq. Chief Secretary to the Government of Bombay.

No. 288.

Sir,

WITH reference to your letter, dated the 20th February 1851, No. 3, Foreign Department, regarding Mr. Robert Dundas Craig, I am directed to transmit the accompanying copy of a letter from the Under Secretary to the Government of Bengal, dated the 13th instant, No. 301.

I have, &c.

(signed)

E. Thomas,

Officiating Under Secretary to the Government of India.

Fort William, 20 February 1852.

No. 301. From the Under Secretary to the Government of Bengal to the Officiating Secretary to the Government of India, Foreign Department.

Sir,

General.
No. 212 of the 17th
March 1851;
No. 1115 of the
26th Dec. 1851.

With reference to your letters noted on the margin, I am directed by the Most noble the Governor of Bengal to state, for the information of the Right honourable the Governor in Council of Bombay, that, from inquiries which have been made through the collector of customs at Calcutta, the chief magistrate, and the superintendent of marine, it appears that no person of the name of Robert Dundas Craig has obtained employment under this Government.

2. The chief magistrate, however, states, that the individual in question is said to be residing at Chandernagore.

Fort William,
13 February 1852.

I have, &c.
(signed) *W. Seton Karr*,
Under Secretary to the Government
of Bengal.

(True copy.)

(signed) *E. Thomas*,
Offg. Under Secy. to the Government of India.

— No. 49. —

MINUTE by the Right honourable the Governor, concurred in by the Board.

1. In the paper intituled "A Statement of Facts relative to Nursoo Punt," submitted to Government by Lieutenant-colonel Outram, Resident at Baroda, a copy of which is hereto annexed, I find it asserted (para. 31) that a petition was referred to the Resident at Baroda, on the 14th January 1849, and (in para. 44) that a person named Jeyrow Hybutrow had avowed himself, in September 1850, to be the author of that petition; further, that this individual's depositions were forwarded to Government with Colonel Outram's letter of the 17th September 1850. I think it desirable that the Chief Secretary, who is Secretary in the Political Department, should be requested to trace this matter on the records of Government, and to show the manner in which it was disposed of.

2. In para. 35 it is stated that Nursoo Punt made a petition to Government in September 1848,* which was never referred to the Resident, and a copy of which was refused to Colonel Outram. The facts connected with this statement should be traced by the Chief Secretary, and reported on in like manner as those referred to in the preceding para.

† Joteshwur.

3. The correspondence on record relating to the Chief Secretary,† Colonel Outram affirms to have been sent by Baba Nafra to Bombay, and the proposal to seize Bulwunt Rao's papers should be collated and submitted to the Board.

4. In para. 47 Nursoo Punt's complicity with Baba Nafra in the "Craig affair" is mentioned. I understand that a person named Craig, since supposed to be a man of the very worst character, was formerly a clerk in the office of the Political Secretary, but that he absconded from Bombay before my arrival in this country, and fled to Calcutta; a summary of whatever is on record about this man, or his name, in connexion with these affairs, should be made for the information of the Board.

5. I should also wish to know if there be on the public records any traces of the anonymous letter spoken of in para. 30 of Colonel Outram's statement addressed to Mr. Reid, and offering bribes to secure decisions in favour of the banker, whom Colonel Outram characterizes as Nursoo Punt's wealthy and wicked relative.

(signed) *Falkland*.
D. A. Blane.
A. Bell.

14 July 1851.

* This petition is stated in a note to have been dated 18th September.

—No. 50—

MEMORANDUM by the Chief Secretary.

1. THE Chief Secretary has the honour to state, with reference to para. 1 of the Right honourable the Governor's minute of the 14th ultimo, that the petition alluded to in the extract from para. 31 of Colonel Outram's "Statement of Facts, &c.," quoted in the margin,* was one without date, purporting to have been addressed by Venayek Dhondeo Ubeyhunker, and was received on the 25th November 1848 in the Persian Department, of which Mr. C. J. Erskine was then in charge; its translated substance was sent to the Political Department on the 20th December 1848. It was sent in circulation from the Political Department on the following day (21 December 1848), and was returned to the office on the 2d January 1849, when, agreeably to the course suggested in a minute recorded thereon by the Right honourable the Governor, under date the 28th December, subscribed to by the Honourable Mr. Reid, a copy of the translation, together with the original petition, was transmitted to the Acting Resident at Baroda on the 4th January 1849, with a request that he would ascertain and report to Government whether the petition was *bonâ fide* from the party whose name it bore.

* See below.

2. On the 9th January 1849 Captain French reported to Government, in reply to this reference, that no person answering to the name of Venayek Dhondeo Ubeyhunker could be found in Baroda. It was therefore resolved by the Honourable Board, in a minute dated the 16th of the same month, that "under these circumstances the petition might be filed."

3. With his letter (No. 207, B.) dated the 7th September 1850, Colonel Outram forwarded two collections of papers (marked J. and H.), which, he stated, consisted of translations of depositions taken before him, tending to "prove that Nursoo Luximon, late residency native agent, had been in the habit of taking most unwarrantable liberties with the name of a late member of Council;" and added, "The Appendix J. comprises examinations taken in consequence of the author of a petition, purporting to be written by one Venayek Dhondeo Ubeyshunker, which was transmitted to the late Acting Resident with your letter No. 60, dated 4th January 1849, having come forward to avow the authorship, and to offer to substantiate all that is therein advanced."

4. In elucidation of his reasons for attaching weight to the evidence above alluded to, tending to criminate the late native agent, Colonel Outram observed, "From the circumstance of this person, Jeyrow Hybutrow, having appended a fictitious name to his petition, bearing a notoriously bad character, and even avowing enmity to the late native agent, I should not have regarded the representations in his petition as worthy of a moment's consideration had not they been borne out to a considerable extent by the evidence of the four persons who were present on the occasion of the dispute therein referred to, with whom it does not appear possible he could have collusion, and had I not other causes for believing that most of what he has since advanced is susceptible of proof."

5. The following minute, recorded by the Right honourable the Governor, under date the 11th October 1850, and concurred in by the Honourable Messrs. Willoughby and Blane, contains the sentiments of Government on the case: "Jeyrow Hybutrow was dismissed from his appointment of tharmadar of Jum-booghara, on the 3d April 1847, and was afterwards declared by Government incapable of re-employment; subsequent to his dismissal various other of his malpractices were discovered, as reported by Mr. Mansfield on the 14th December 1847."

"An accusation brought forward by such a man requires good proof to remove suspicion; the case is thus: Jeyrow Hybutrow asserts, that about September 1848.

* "Though on the 25th November Government received a petition from Baroda, in which Nursoo Pant was accused of having openly boasted of the impunity which he and his friends enjoyed, through Mr. Reid's favour, the petition was not sent to the Acting Resident, to have the authenticity of its allegations inquired into, till the 4th January 1849."

1848, Nursoo Luximon made use of language highly improper for a man in his situation. That there were present four men whom he knew by sight, but not by name; he was told to produce these men, and in a little more than a week, notwithstanding his very slight knowledge of them, he had found them in the crowded city of Baroda, and produced them to give their evidence.

"Their depositions are marked by such a similarity, that when it is remembered that they depose to a conversation which had occurred nearly two years before, I cannot but think it was framed for the occasion.

"There is no account of the character of the witnesses, or any reason beyond what they state themselves, for attaching any credit to their statements, and, in the absence of this I cannot but think that the whole of this case (J.), is made up by Jeyrow Hybutrow. I think it will be sufficient to inform Lieutenant-colonel Outram that Government deem it necessary to take any further steps in this matter."

6. On the 5th November 1850, Colonel Outram was informed to the effect suggested in the last clause of the concluding para. of the above minute.

7. With respect to Colonel Outram's statements referred to in the 2d para. of the Right honourable the Governor's Minute (of the 14th ultimo), that Nursoo Punt, late native agent of the Baroda Residency, submitted a petition to Government, dated the 18th September 1848, which was never referred to the Resident, and that a copy thereof, when applied for, was refused to Lieutenant-colonel Outram, the Chief Secretary has the honour to submit the following particulars.

8. On the 9th September 1848, Colonel Outram submitted, with his recommendation, an application from Nursoo Luximon, then native agent of the Baroda Residency, for permission to retire on the pension that he might be considered entitled to from "Warden's Official Fund," with an additional pension from Government.

9. The Resident's communication having been referred, as usual in such cases, to the civil auditor (on the 14th September 1848), was returned with that officer's report on the 25th idem, and on the same date sent in circulation to the members of Government.

10. Colonel Outram's Report on the affairs of Gorajee Pol, containing aspersions affecting the character of Nursoo Luximon, the native agent, though dated the 7th September 1848, was received in the Political Department on the 18th idem, and was on the same date circulated to the members of Government.

11. Nursoo Luximon's petition of the 18th September 1848, to which Colonel Outram alludes in para. 35 of his "Statement of Facts, &c." was received on the 22d idem, and circulated to the members of the Honourable Board on the 26th of the same month.

12. Thus it will be seen that two papers which are referred to in the petition from Nursoo Luximon, dated the 18th September 1848, were at the time of the petition being circulated engaging the attention of the Honourable Board; and, in order that the Right Honourable the Governor in Council may be in a position to judge in how far "the petition of the 18th September dealt in untruthful charges or insinuations against Lieutenant-colonel Outram, as surmised by that officer, the Chief Secretary begs to quote that document *in extenso*; that your Lordship's petitioner is, to his great mortification, aware that Colonel Outram has recently made two unfavourable reports to Government, one in the case of Hurry Bhugtee Pareck's claim against Govind Rao Gaekwar, and the other in that of Gorajee Pol's affairs. Your petitioner does not wish at present to trouble your Lordship with any details of these cases, which may perhaps be altogether unnecessary for him ever hereafter. But should Government draw any inferences from what Colonel Outram may have said in his reports against your petitioner, prejudicial to his hard-earned character, he humbly craves your Lordship in Council not to condemn a public servant as your petitioner of most unexceptionable character without hearing his defence."

"It is a matter of great regret to your Lordship's petitioner that, after a service of 30 years, he has the mortification to make such representation to Government.

ment. Up to this time all the superiors under whom your Lordship's petitioner had the honour to serve have made favourable reports; and your Lordship's petitioner was fully confident that Colonel Outram, under whom he served laboriously for 15 months, and who had a kind regard towards him, would likewise make a favourable mention to Government; but unfortunately, on the misrepresentation of your Lordship's petitioner's enemies, a sudden change took place in Colonel Outram's mind. The enemies of your Lordship's petitioner have attempted to cast stigma on his hitherto unblemished character, to serve their own selfish object; and therefore your Lordship's petitioner, being conscious of his integrity, is fully confident that justice would be done to him."

13. As usual, when several papers relating to the same matters are in circulation at the same time, this petition was disposed of at the same time as the Resident's letter of the 9th September, alluded to in the second para. of this memo., the Right honourable the Governor minuting on it on the 7th October 1848: "See my minute of this date on Nursoo Luximon's application for leave to retire, and a pension." The minute referred to by his Lordship is to the following effect:

"Had Nursoo Punt's application to retire from the public service arisen from his feeling it impossible to serve under Colonel Outram, after what he may consider the unjust treatment he has met with at his hands, it would be but just to allow him to re-consider his application, now that Colonel Outram is no longer at Baroda; but I find, on reference to our records, that his intention to retire on the completion of his 30 years' service had been previously brought to our notice; and I presume, therefore, that he has now no desire to continue in employment. Still, if Captain French, who can as yet have acquired but little personal experience, should require Nursoo Luximon's services, I would permit him to give him the option of withdrawing his application. If he persist in his intention to retire, he will, of course, receive his pension according to existing rules; but, considering how his services in the revenue line have been rewarded, I do not think that we can entertain any proposition for a further provision."

14. These remarks, having been concurred in by the Honourable Board, were communicated, in a letter dated the 4th January 1849, to Captain French (then acting Resident at Baroda), in reply to Colonel Outram's letter of the 9th September preceding, submitting Nursoo Punt's application to retire on a pension; and in reply Captain French, on the 13th January 1849, reported that Nursoo Luximon was not then desirous to retire on his pension, observing, at the same time, "I should be sorry to lose his assistance, for he is well versed in the duties of his situation; and, pending the final disposal of the many cases now unadjusted, his departure would be a great loss." In reply, Captain French was informed, on the 29th January, that Government was "pleased to comply with the wish of Nursoo Luximon, the native agent, to remain in the public service."

15. In May 1850, Nursoo Luximon was transferred by Government from the appointment of native agent at Baroda to that of dufturdar of the Ahmedabad collectorate.

16. On the 11th January 1851, Colonel Outram, having intermediately resumed charge of the Baroda residency, applied to Government to be furnished with a copy of Nursoo Punt's petition of the 18th September * 1848, which he observed had not been communicated to his office, though he understood that it had been considered in connexion with his reports of the 31st August† and 7th September‡ 1848, and could therefore only have had reference to his proceedings in the investigation of the cases referred to. * Alluded to in para. 7.

17. On this letter the Right honourable the Governor recorded the following minute, dated the 20th January 1851, which was concurred in by his Excellency the Commander-in-chief, and by the Honourable Mr. Blane: "As it was not at the time considered necessary to forward a copy to Colonel Outram, and as the petition merely requested that Nursoo Punt should not be condemned on Colonel Outram's report without being heard in his own defence, I see no reason for sending

† On the claims of Hurree Bhugtee, against Govind Rao Gaekwar.

‡ On the affairs of Gorajee Pol.

sending a copy to Colonel Outram, who may be so informed, as well as why we decline compliance with his wishes."

18. The Honourable Mr. Willoughby dissented from the above view, observing, "If we decline to furnish a copy of this document, Lieutenant-colonel Outram will fancy it contains matter which we do not wish him to see, I think it would be better to avoid this, and to comply with the Resident's request."

19. The Right honourable the Governor's suggestion having been concurred in by the majority of the Honourable Board, Lieutenant-colonel Outram was informed on the 8th January 1851 (in reply to his letter of the 11th January), that as the petition from Nursoo Punt "merely requested that he might not be condemned without being heard in his own defence," his Lordship in Council considered it unnecessary to furnish him with a copy of the same.

20. With reference to the 3d para. of the Right honourable the Governor's minute (of the 14th ultimo), desiring that the correspondence relating to the emissary Joteshwur, who Lieutenant-colonel Outram states was sent by Baba Nafra to Bombay, and to the proposal to seize Bulwunt Rao's papers, be collated and submitted to the Honourable Board, the Chief Secretary begs to furnish the following particulars.

21. With a private note dated the 13th July 1850, addressed to the Chief Secretary, Lieutenant-colonel Outram forwarded translation of a deposition which had been made by Joteshwur Echaram, at Baroda, on the 12th July 1850, in which that individual admitted that he had been sent by Baba Nafra to Bombay, and while here had received about 22,000 rupees; that of this sum, 8,000 rupees had been paid into the Supreme Court on account of an attachment against Hurry Bhugtee's shop, but that he was unable to tell how the balance had been appropriated, as the accounts showing the same were with Bulwunt, his brother-in-law, then in Bombay.

22. Lieutenant-colonel Outram stated that it appeared to him that 85,000 rupees had been remitted to Bombay, with the view of defeating his exposure of the frauds connected with the Govind Rao Gaekwar's and Gorajee Pol's cases, and possibly had been expended in the mode adopted in the Dhackjee Dadajee affair in 1840. Lieutenant-colonel Outram therefore suggested that a complete exposure would be effected if the papers left with Bulwunt Rao in Bombay could be secured, which he thought there could be no difficulty in doing if the police magistrate were put on the scent without delay.

23. These papers were on receipt circulated by the Chief Secretary, to the members of Government at the Presidency, with a suggestion, that if it were determined to comply with Lieutenant-colonel Outram's suggestion, orders should be issued forthwith, as delay would defeat the chances of success.

24. The Honourable Mr. Willoughby remarked, in a minute which he recorded on this letter, dated the 17th July 1850, that, however desirable it was that malpractices of the kind alluded to by Lieutenant-colonel Outram should be exposed, and the parties concerned punished, it was exceedingly difficult to effect this in Bombay, and suggested that the Chief Secretary should communicate confidentially with the Advocate-general, and obtain his advice as to whether any, and if so, what measures could be adopted to secure Bulwunt Rao's papers. The Honourable Mr. Blane observed that he had "no objection to the Chief Secretary taking such measures with respect to the seizure of the papers as might be advised by the Advocate-general."

25. The Chief Secretary on the same day referred for the advice of the Advocate-general, who on the same day (the 17th July 1850) submitted his opinion as follows: "The papers referred to cannot be legally seized, except under civil process; if the transactions relate to mere money demands and accounts, or if any crime is involved by any criminal falsification of accounts, or the like, then under criminal process, on information on oath laid before a magistrate."

26. On the Advocate-general's opinion being circulated to the members of Government, the Honourable Mr. Willoughby recorded the following minute, under date the 18th July 1850, which was concurred in by the Honourable Mr. Blane (and subsequently by the Right honourable the Governor, on the papers being

being forwarded to his Lordship at Poona), "Under this opinion, I imagine we can adopt no other measure beyond communicating it to Lieutenant-colonel Outram." Lieutenant-colonel Outram was informed (on the 18th July 1850) that Government having consulted the Advocate-general touching the seizure of Bulwunt Rao's papers, that officer had given it as his opinion that the same could not be legally effected.

27. On the 16th August 1850 Lieutenant-colonel Outram submitted translation of an anonymous communication he had received on the preceding day, by which he had learnt that a person who had been alluded to in Joteshwur Echaram's statement, under the name of "Creigh," or "Creek," as being mixed up with these intrigues, was identical with a person of the name of Craig, formerly employed in the Political and Secret Departments of the Secretariate, to whom further allusion will be made in subsequent paras. On this occasion Lieutenant-colonel Outram stated his regret that he had not been at an earlier period furnished with a copy of the Advocate-general's opinion above alluded to; as he could then, he stated, have forwarded such further information on oath as might yet have enabled Government to effect, as he (Lieutenant-colonel Outram) had previously recommended, the seizure of the papers above alluded to, as being in the possession of Bulwunt Rao. The further proceedings of Government on this subject being connected with the aforesaid Mr. Craig, are noticed in paras. 28 to 43 of this memo., with reference to the proceedings of that individual.

28. In compliance with the direction contained in the 4th para. of the Right honourable the Governor's minute, the Chief Secretary begs to submit the following information relative to the person named Craig, who was employed as a junior assistant in the Secret and Political Departments of the Secretariate from the year 1838 until the 13th February 1849.

29. Robert Dundas Craig, the individual alluded to, was admitted to the Political and Secret Departments of the Secretariate on the February 1838. He was principally employed in endorsing and arranging enclosures to the despatches addressed by Government to the Honourable the Secret Committee; he was also superintendent of the sectioners, and was considered a trustworthy individual; he received a salary of 125 rupees per mensem. During the last few months of his remaining in the Secretariate some facts transpired which proved that his moral character was bad, but there were no grounds whatever for suspecting that he was unfaithful to the government he served. In February 1849 Mr. Craig had applied to the Chief Secretary for three months' leave to proceed to Calcutta on private affairs, receiving no pay during the period of his absence. His request was granted; but failing to return at the expiration of his leave, or applying for any extension, his name was struck off the list of the establishment.

30. In the deposition above alluded to, of Joteshwur Echaram, taken on the 21st July 1850, a translation of which accompanied Colonel Outram's (second) private letter to the Chief Secretary's address, that individual stated that he had been sent to Bombay by Baba Nafra, with the concurrence of Nursoo Punt, with the view of endeavouring to secure the Honourable Mr. Reid's influence in behalf of the firm of Hurry Bhugty, of Baroda, and that shortly after his arrival in Bombay, about September or October 1848, he had been introduced by a person named Shesha Appa, a Muratha, to the above-mentioned Mr. Craig, at his house at Mazagon, who, on learning the object of his mission, asked him how much he would give him for interesting himself in Joteshwur's business; when Joteshwur replied, that 2,000 rupees would in the first instance be given to him, and that after the business was satisfactorily settled he would get what he liked. That Joteshwur afterwards gave Mr. Craig 2,000 rupees; but finding after some days that nothing had been done, called again on Mr. Craig, and "complained of his having taken the money, and done nothing;" when Mr. Craig is said to have persuaded Joteshwur to give him a further sum of 10,000 rupees for the alleged purpose of presentation to the Honourable Mr. Reid, who then was about to proceed to England; that Joteshwur accordingly gave Mr. Craig that amount (10,000 rupees) in bank notes, when Mr. Craig asked for and obtained from Joteshwur the separate sum of 200 rupees for the "purchase of a horse" for himself.

31. In forwarding the above deposition, Lieutenant-colonel Outram observed, that if the above statement were true, it showed that some person whose name was indistinctly pronounced "Craik" by the deponent, had been pretending to possess influence with the Honourable Mr. Reid, and had been making money on that pretence, and that he hoped the police would be able to trace this individual. Lieutenant-colonel Outram at the same time suggested, that "the best chain of tracing the transaction will be in the books of Vrijlall Doolub, in which the bank notes for 10,000 rupees, said to have been given to Mr. Craig in October 1848, ought to be recorded."

32. On the above communication from Lieutenant-colonel Outram being referred to the Advocate-general, that officer replied, under date the 31st July 1850, that nothing could be done within the jurisdiction of the Supreme Court, except in the mode pointed out, in his opinion, with respect to the seizure of Bulwunt Rao's papers. Copies of the Advocate-general's report of the 18th July, and of his subsequent note, were then furnished to Lieutenant-colonel Outram, for his information.

33. On the 16th August 1850, Lieutenant-colonel Outram forwarded translation of an anonymous communication that he had received the day previous, from which, he observed, it clearly appeared that Mr. Craig, who he found by reference to the calendar was a clerk in the Secret and Political Departments of the Secretariate, residing at Mazagon, must be the person mentioned as "Creek" Saheb in Joteshwur's statement.

34. An anonymous English communication, dated the 13th August 1850, was about the same time received by the Chief Secretary, addressed apparently by the same party who had written to the Resident at Baroda. As the purport of these anonymous communications corresponded for the most part, and especially in alleging that the sum of 10,000 rupees, which Joteshwur had accounted for to Hurry Bhugtee's firm as having been paid to the Honourable Mr. Reid, was in fact divided between himself and three others, namely, Ragoba Simpey, a purvoo in the military paymaster's office, Mr. Craig, and another "Indo-Briton," employed in the Secret and Political Departments.

35. The Right honourable the Governor, in a minute dated the 18th August 1850, remarked, that his Lordship saw no use in taking any notice of these anonymous communications, but that he was willing to be guided by the opinion of his colleagues.

36. The Honourable Mr. Willoughby subscribed to the Right honourable the Governor's minute; but the Honourable Mr. Blane suggested that Ragoba, who was stated to be in Government employ, might be sent for, and his statement taken down by the Chief Secretary, who might make inquiries which might lead to some disclosures. The Chief Secretary, with reference to this suggestion, represented, that as it was not improbable that trustworthy information might be obtained from Baroda, on which inquiries might at a future time be based, any investigation on information received anonymously might, by forewarning the parties, defeat future inquiry, while the nature of the information then available precluded any satisfactory investigation. These papers, with reference to these remarks of the Chief Secretary, were ordered by the Honourable Board to be recorded.

37. In a letter without date, but received on the 10th September 1850, from Captain Barr, the military paymaster at the Presidency, that officer stated, that, from a private communication which he had received from Lieutenant-colonel Outram, he was led to believe that Ragoba Moraba, a clerk in his office, was connected with some improper transactions brought to the notice of the Resident at Baroda; and that he was of opinion that if he were authorised to promise that Ragoba Moraba would be held harmless for the share he had had in the matter, some important information might be obtained from him that would enable Lieutenant-colonel Outram to convict others more deeply implicated.

38. Captain Barr was, in reply, authorised, under date the 11th September, to promise immunity to Ragoba, on the condition that he should make a full and fair disclosure of all he knew on the subject.

39. With reference to the collection of papers marked H. transmitted (together with another collection marked J., which has been noticed elsewhere) with his letter

letter dated the 7th September, No. 207 B, Colonel Outram remarked, "Appendix (H.) is a memorandum of my proceedings in an inquiry into the cause and object of the mission to Bombay in July 1848, of an agent of Baba Nafra, the moonim gomashtha of Hurree Bhuktee's firm, who is proved in evidence to have been deputed at the instigation of Nursoo Punt, charged to communicate with Mr. Reid, and authorised to draw on the firm for any sums that might be required for purposes of bribery; and it will be seen from the evidence that there is much ground for believing that large sums were expended by him in this manner, evidence being very strong against a Mr. Craig, clerk in the Secretary's Office, who is represented to have received on one occasion 2,000 rupees, and on another 10,000 rupees and 200 rupees, and who also appears to have shamefully misused Mr. Reid's name on the occasion.

40. In this Appendix (H.), Colonel Outram recapitulated at full length the depositions of Joteshwur Echaram, taken before him on the 12th and 21st July 1850 (previously submitted, with his private letters dated the 13th and 22d idem, to the address of the Chief Secretary), together with his (official) letter of the 16th August 1850, and the anonymous communication therein referred to, with the additional depositions of Joteshwur Echaram Wunarea, taken on the 15th August 1850, and also those of Bugwan Bhowanee and Lulloo Bhugwan, taken on the 22d July 1850, showing collectively strong grounds for believing that Nursoo Punt, the native agent at Baroda, had counselled Baba Nafra to depute an agent to Bombay, with the assurance that the Honourable Mr. Reid's influence could be secured in Nafra's behalf by means of bribes; and that this counsel had been acted upon by the despatch of Joteshwur Echaram to Bombay, and by the latter having drawn and expended sums exceeding 19,000 rupees, of which Mr. Craig appeared to have received 12,200 rupees, under pretence of accomplishing the objects sought by Baba Nafra.

41. The Right honourable the Governor recorded the following minute, under date the 11th October 1850, on the above-mentioned Appendix (H.), which was concurred in by the Board: "Inquiries are in progress in this case in Bombay, and their result may be awaited." The inquiries here alluded were those that Captain Barr, the military paymaster, who had been informed by Colonel Outram of these matters, was expected to make when authorised on the 11th September 1850 to promise immunity to Ragoba, the purvoo in his office, to elicit all he knew of the transactions of bribery and corruption in connexion with parties at Baroda.

42. With his letter, No. 229, dated the 26th September 1850, Lieutenant-colonel Outram forwarded copy of the statement of Ragoba, the purvoo in Captain Barr's office at the Presidency, confirming the statements of Joteshwur Echaram with respect to the sums alleged to have been paid to and received by Mr. Craig, to the extent of 12,200 rupees.

43. In a minute recorded by the Right honourable the Governor on the 19th February last, his Lordship stated that he had been informed that Mr. Craig was endeavouring to obtain employment in Calcutta under Government, and accordingly proposed that the Governments of Bengal, Madras, and the North-west Provinces, should be informed of the accusation which, since his departure, had been brought against him, Craig, of having received bribes to a large amount under the pretence of being able to influence certain high official functionaries in a case before Government connected with affairs at Baroda. This suggestion having been concurred in by the Board, communications to the foregoing effect were made, on the 20th February 1851, to the Governments of Bengal, Madras, and the North-west Provinces.

44. The Chief Secretary begs to state, in reply to the last paragraph of the Right honourable the Governor's minute, that there are no traces on record of the anonymous letter therein alluded to by his Lordship; but he ventures to recall to his Lordship's recollection that the Honourable Mr. Willoughby received an anonymous letter, requesting his interest for the firm of Hurree Bhugtee, which that gentleman brought to Council, and that Mr. Reid at that time stated that he also had received a similar anonymous letter.

45. Although not alluded to in the Right honourable the Governor's minute, the Chief Secretary considers it requisite, in order to render this memorandum complete, to allude to the following further correspondence.

* *Vide* paras. of this memo.

46. On the 26th September 1850, Lieutenant-colonel Outram forwarded to Government copy of a statement which had been made on the 12th of the same month before Captain Barr, the military paymaster at the Presidency, by Ragoba Moroba, a purvoo employed under the latter officer, as containing information corroborative of the circumstances detailed in the depositions* of Joteshwur Echaram, taken on the 12th and 21st July 1850 at Baroda, by Lieutenant-colonel Outram, especially with respect to certain sums of money alleged to have been paid by Joteshwur in 1848 to Mr. Craig, late a clerk in the Secret and Political Departments of the Bombay Secretariate, alluded to in a preceding part of this memorandum.

47. Towards the conclusion of his statement above alluded to, Ragoba stated that on Joteshwur's return to Baroda in July 1850, one Bapoolhoy had been appointed agent "to defend a cause then pending in the Supreme Court connected with the house of Hurry Bhugtee," through whom he (Ragoba) received a remittance of 2,500 rupees, the greater portion of which he stated he had paid to certain gentlemen of the legal profession in Bombay, and 625 rupees to Mr. Cole, head clerk in the Accountant-general's office, Bombay.

48. With a further letter, dated the 11th October 1850, Lieutenant-colonel Outram forwarded an original communication, which had been addressed on the 2d idem, to Captain Barr, by Ragoba Moroba, the purvoo above alluded to, in which that individual professed to submit additional information regarding his knowledge of the proceedings of Baba Nafra's agents in Bombay, and stated that he had, at the request of Baba Nafra's son (who had accompanied his Highness the Gaekwar to Bombay†), introduced him to Mr. Cole "on account of the late Mr. Williams's business," when Nafra's son had presented Mr. Cole with two rings and a shawl.

† December 1849.

49. The value of these articles is not mentioned in Ragoba's letter to Captain Barr, but Lieutenant-colonel Outram states that he was informed by Captain Barr that the rings mentioned as having been received by Mr. Cole, were mounted with diamonds, and "valued at 500 rupees." Lieutenant-colonel Outram at the same time drew the attention of Government to the circumstance detailed in Ragoba's former statement, of his having paid Mr. Cole 625 rupees, and also to the imputation contained in the anonymous communication submitted with his letter of the 16th August 1850, in which Mr. Cole was represented to have been engaged in connexion with two gentlemen‡ of the legal profession in Bombay, in promoting Baba Nafra's objects in the Joetabhaee case.

‡ Mr. Howard, the barrister; and Mr. Leggett, the attorney.

50. The Right honourable the Governor, with reference to the foregoing correspondence, in a minute dated the 21st October 1850, observed, "I am informed privately that Captain H. Barr, who has obtained this and other information for Colonel Outram, wishes that any steps in this matter may be postponed for a few days, as he expects to obtain information of importance from Mr. Cole. This may therefore lie over for the present, Colonel Outram being informed, and the secretary may mention the delay to Captain Barr."

51. The Honourable Messrs. Willoughby and Blane concurred in the course above suggested by the Right honourable the Governor, and Mr. Secretary Goldsmid, then in temporary charge of the Secret and Political Departments, (in the absence of the Chief Secretary, in attendance with the Right honourable the Governor at Mahableshwar,) after communicating with Captain Barr, reported that officer's intention to communicate to Colonel Outram direct, any information he might have to furnish.

52. In a letter dated the 21st October 1850, Lieutenant-colonel Outram recommended that Captain Barr might be authorised to hold out the offer of pardon to Mr. Cole, provided the information he should give would be of a nature to lead to the conviction of the principals in the nefarious transactions connected with Baba Nafra.

53. In a minute dated the 29th October last, the Right honourable the Governor remarked, "I shall have no objection to a conditional promise of pardon being made to Mr. Cole for information expected from him, provided that my colleagues assent, and that the gentleman entrusted by Colonel Outram with the investigation of this matter thinks it will be conducive to the good of the public service to follow this course."

54. Under the authority implied by the concurrence of the Honourable Messrs. Willoughby and Blane, in the above minute, Captain Barr was, on the 1st November 1850, informed that the conditional promise of pardon proposed by Colonel Outram may be made to Mr. Cole, provided he thinks "it will be conducive to the public service to follow this course." No subsequent report has been received by Government from Lieutenant-colonel Outram.

55. The Chief Secretary has heard privately that the inquiry has been dropped in consequence of access to the papers having been allowed to Mr. Smith, the second assistant in the Political Department of the Secretariate, who was brother-in-law to Mr. Craig. The Chief Secretary is not aware whether this reason is the correct one, and is inclined to think that other reasons must exist, as Mr. Smith, who was acting head assistant in the office during the absence of R. H. Thomas, esq., although brother-in-law to Mr. Craig, both having married sisters, has been for a long time on bad terms with him, in consequence of family disputes; and on the first receipt of information from Baroda, suggested that it was not unlikely that Mr. Craig was the person alluded to under the name of Creek, showing no wish whatever to screen him from any inquiry that might be in progress.

(signed) *A. Malet,*

27 August 1851.

Chief Secretary.

— No. 51. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

WE have not yet received from Lieutenant-colonel Outram any report of the result of the inquiries relative to the payment of sums of money in Bombay by persons deputed from Baroda, which, in consequence of his having entrusted them to Captain Barr, Government deemed it advisable to leave in that officer's hands, he should be called on for his report on this subject.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

7 September 1851.

— No. 52. —

No. 311 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, c. B., Resident at Baroda.

Sir,

WITH reference to your letter of the 21st October last, and to former correspondence on the same subject, I am directed by the Right honourable the Governor in Council to request that you will report the result of the inquiries relative to the payment of sums of money in Bombay by persons deputed from Baroda, of which, in consequence of your having entrusted the same to Captain Barr, Government deemed it advisable to leave in that officer's hands.

I have, &c.

(signed) *A. Malet,*

Bombay Castle, 10 September 1851.

Chief Secretary.

— No. 53. —

No. 2 of 1851.

From Lieutenant-colonel *J. Outram*, c. B., Resident, Baroda, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

WITH reference to your letter of the 10th September, No. 311, requesting me to report, with reference to my letter of the 21st October last, the result of inquiries

inquiries relative to the payment of sums of money in Bombay by persons deputed from Baroda, in consequence of your (my) having entrusted the same to Captain Barr," I have the honour to inform you that no information has been received by me, further than has already been communicated to Government.

2. With respect to your remark that I intrusted the inquiry to Captain Barr, I beg respectfully to remind you, that I only did so after unsuccessfully seeking assistance from Government.

3. Captain Barr never informed me that Government had recognised him as the proper person to conduct an inquiry into the proceedings of Mr. Craig, Mr. Cole, and others, in reference to the payments made at Bombay by persons deputed from Baroda. And he never informed me that he had been authorised "to hold out offer of pardon to Mr. Cole, provided the information he gives is of such a nature as to lead to the conviction of the principals in these nefarious transactions." Yet such authorisation was solicited in my letter of the 21st October 1850, and I expressed a hope that if such an authorisation were given to Captain Barr, the truth would be arrived at. And I had, 10 days previously, forwarded information to Government which implicated Mr. Cole "to the extent of receiving certain rings, which Captain Barr informs me were diamond, and valued at 500 rupees, besides 625 rupees in cash," which had been deposed to by Ragobah, clerk in Captain Barr's office.

4. If Government did authorise Captain Barr to examine Mr. Cole, I should esteem it a favour to be informed of the circumstance; for the impression left on my mind by that officer's communications is, that no such authorisation was conveyed to him. On the contrary, he appeared to me to consider the inquiry one in which Government would not assist; and he announced to me that he regarded its further prosecution as utterly futile, in consequence of the papers referring to it having been placed in the hands of Mr. Smith, Mr. Craig's brother-in-law.

I have, &c.
(signed) J. Outram,
Resident.

Baroda Residency, 15 September 1851.

— No. 54. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

To be recorded for the present. I will dispose of this subject hereafter.

(signed) Falkland.
D. A. Blane.
A. Bell.

30 September 1851.

— No. 55. —

MINUTE by the Right Honourable the Governor.

1. THE facts of this case are explained in the following extract (paras. 48 and 54) from the memo. which at my request was lately submitted to the Board by our Chief Secretary on the subject of these intrigues:—

"With a further letter, dated the 11th October 1850, Lieutenant-colonel Outram forwarded an original communication which had been addressed on the 2d idem, to Captain Barr by Ragoba Moroba, the purvoo above alluded to, in which that individual professed to submit additional information regarding his knowledge of the proceedings of Baba Nafra's agents in Bombay, and stated that he had at the request of Baba Nafra's son (who had accompanied his Highness the Guicowar to Bombay*) introduced him to Mr. Cole on account of the late Mr. Williams' business, when Nafra's son had presented Mr. Cole with two rings and a shawl.

"The value of these articles is not mentioned in Ragoba's letter to Captain Barr, but Lieutenant-colonel Outram states, that he was informed by Captain Barr

* December 1849

Barr that the rings mentioned as having been received by Mr. Cole were mounted with diamonds, and valued at 500 rupees. Lieutenant-colonel Outram at the same time drew the attention of Government to the circumstance detailed in Ragoba's former statement of his having paid Mr. Cole 625 rupees, and also to the imputation contained in the anonymous communication submitted with his letter of the 16th August 1850, in which Mr. Cole was represented to have been engaged in connexion with two gentlemen* of the legal profession in Bombay, in promoting Baba Nafra's objects in the Joitabhaee case.

* Mr. Howard, the barrister; and Mr. Leggett, the attorney.

"The Right honourable the Governor, with reference to the foregoing correspondence, in a minute dated the 21st October 1850, observed: "I am informed privately that Captain H. Barr, who has obtained this and other information for Colonel Outram, wishes that any steps in this matter may be postponed for a few days, as he expects to obtain information of importance from Mr. Cole; this may therefore be over for the present, Colonel Outram being informed, and the secretary may mention the delay to Captain Barr.

"The Honourable Messrs. Willoughby and Blane concurred in the course above suggested by the Right honourable the Governor, and Mr. Secretary Goldsmid, then in temporary charge of the Secret and Political Departments (in the absence of the Chief Secretary, in attendance with the Right honourable the Governor, at Mahableschwur) after communicating with Captain Barr, reported that officer's intention to communicate to Colonel Outram direct, any information he might have to furnish.

"In a letter, dated the 21st October 1850, Lieutenant-colonel Outram recommended that Captain Barr might be authorised to hold out the offer of pardon to Mr. Cole, provided the information he should give would be of a nature to lead to the conviction of the principals in the nefarious transactions connected with Baba Nafra.

"In a minute, dated the 29th October last, the Right honourable the Governor remarked, I shall have no objection to a conditional promise of pardon being made to Mr. Cole for information expected from him, provided that my colleagues assent, and that the gentleman entrusted by Colonel Outram with the investigation of this matter thinks it will be conducive to the good of the public service to follow this course.

"Under the authority implied by the concurrence of the Honourable Messrs. Willoughby and Blane in the above minute, Captain Barr was on the 1st November 1850 informed that the conditional promise of pardon proposed by Colonel Outram may be made to Mr. Cole, provided he thinks it will be conducive to the public service to follow this course. No subsequent report has been received by Government from Lieutenant-colonel Outram."

2. With reference to the foregoing facts, Lieutenant-colonel Outram was in conformity with a resolution of the Board, called upon on the 10th instant to "report the result of the inquiries relative to the payment of sums of money in Bombay by persons deputed from Baroda, and which in consequence of his having entrusted the same to Captain Barr, Government deemed it advisable to leave in that officer's hands."

3. In his present reply to the above reference, Lieutenant-colonel Outram states that he did not entrust the enquiry alluded to, to Captain Barr, until "after unsuccessfully seeking assistance from Government." With reference to this statement I would remark, that legal obstacles existed to certain procedure which had been proposed to Government by Colonel Outram (*vide* para. 25 of the Chief Secretary's memo. above alluded to), Lieutenant-colonel Outram, I presume, in entrusting the inquiry to Captain Barr, did so from supposing that no legal obstacles would exist to a private investigation carried on in Bombay by the latter officer.

4. As Lieutenant-colonel Outram and Captain Barr were in direct correspondence† on the subject of these intrigues, it appears somewhat extraordinary that the latter officer made no communication to Lieutenant-colonel Outram on the points alluded to in the 3d and 4th paras. of his present letter.

5. These

† *Vide* Captain Barr's letter to Government, without date, but received in September 1850.

5. These remarks, inclusive of the substance of the portion of the Chief Secretary's memo. above quoted, may be communicated to Lieutenant-colonel Outram, with an expression of our surprise that on his receiving from Captain Barr the announcement to which he alludes at the close of his letter, he did not immediately bring the particulars to which he refers to the notice of Government. He should be reminded that his last letter on this subject is dated so far back as the 21st October 1850.

(signed) *Falkland.*

29 September 1851.

— No. 56. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

At the date of my writing the above minute, Captain Barr was absent from the Presidency; he has just returned, and I propose that he be desired to furnish forthwith a statement of all his proceedings relative to the above transactions. All communication to Lieutenant-colonel Outram on this subject being postponed till we shall receive Captain Barr's reply.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

27 November 1851.

— No. 57. —

No. 421.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Captain *H. Barr*, Military Paymaster Bombay.

Sir,

WITH reference to Mr. Secretary Goldsmid's demi-official letter to your address, dated the 1st November 1850, I am directed by the Right honourable the Governor in Council, to request the favour of your placing before Government as soon as practicable, a full statement of all your proceedings relative to the measures of Baba Nafra's agents in Bombay, in connexion with the affairs of Joetabhaee Settanee.

I have, &c.
(signed) *A. Malet*,

Bombay Castle, 1 December 1851.

Chief Secretary.

— No. 58. —

From Captain *H. Barr*, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

IN reply to your letter of the 1st instant, and with reference to the demi-official from Mr. Secretary Goldsmid therein alluded to, I have the honour to offer the following explanation of the course subsequently adopted by me, and the reasons which actuated me in adopting it.

2. In the month of August or September 1850, I obtained certain information from Ragoba Moroba, of my office, which led me to believe that Mr. Smith, one of the clerks employed under Mr. Malet, in the Secret Department of the Secretariate must be the person referred to in the anonymous letter, copy of which was transmitted for my information by Colonel Outram, and that he was deeply implicated in the transactions therein referred to; finding also that Mr. Cole, of the Military Accountant's Office, was mixed up in the Baroda bribery question, I was induced to believe that through him I might obtain evidence of the truth of my conviction, that Mr. Smith was the principal mover in the transaction

transaction with Joteshwur and the other agents of Baba Nafra, and I was under the impression that if I was empowered to hold out to Mr. Cole the hope of a pardon for the part he had taken in the matter, I might be able to obtain much valuable information from him, elucidatory of the part taken by Mr. Smith.

3. With this view I addressed a private note to Colonel Outram, and I presume that the demi-official from Mr. Goldsmid resulted in some communication made by the Resident of Baroda to Government.

4. On first suspecting Mr. Smith's complicity in the infamous transaction of Baba Nafra's agents in Bombay, I called upon Mr. Malet at his office about the month of September 1850, and in a private conversation I then had with him, I said that I had every reason for suspecting that Mr. Smith was not to be trusted, and that I had it in evidence from Ragoba that he (Smith) was present on several occasions when interviews took place between Craig, Joteshwur, and himself.

5. On the receipt of the demi-official from Mr. Goldsmid, in the month of November 1850, I called upon that gentleman, and asked him to allow me to look at some of the documents transmitted by Colonel Outram, and which I wished to refer to, in order that I might be prepared to carry out the inquiries which I was about to make of Mr. Cole. On making known my request to Mr. Goldsmid, I was surprised to learn that all the papers connected with the Baroda matter under investigation were under charge of Mr. Smith, and that he had access to the whole of the reports made by me to Colonel Outram. Finding this to be the case, I at once saw how futile must be any attempt on my part to carry the inquiries further; and as I had made no use whatever of the permission conveyed to me in the demi-official already referred to, I at once wrote to Colonel Outram, explaining how matters stood, and that under the circumstances I saw that any further steps on my part must result in disappointment, as the fact of the evidence already obtained through Ragoba being accessible to Smith placed him so *au fait* with the whole matter as to be able to frustrate any attempts on my part to obtain the information from Mr. Cole, which I confidently expected would lead to my being able to convict him (Smith) of a very active, if not one of the principal parts in the whole matter.

I have, &c.
(signed) H. Barr,
Captain.

Bombay, 9 December 1851.

— No. 59. —

MEMORANDUM by Chief Secretary.

THE Chief Secretary begs to draw the attention of the Honourable Board to the 4th para. of Captain H. Barr's letter of yesterday's date, in which that gentleman states that he mentioned to the Chief Secretary, about the month of September 1850, that he had every reason for suspecting Mr. G. Smith (then acting as my assistant in the Political Department), and that he had it in evidence from Ragoba that he (Smith) was present on several occasions while interviews took place between Craig, Joteshwur and himself, the Chief Secretary begs distinctly to state that he either never heard these assertions or did not conceive that any communication then made to him could bear that meaning; he always understood at that time that the only ground for suspicion against Mr. Smith was his connexion with Craig by marriage, and as there had long been a serious quarrel between the two arising out of that connexion, and as Mr. Smith had informed the Chief Secretary that he believed Mr. Craig to be the person implicated in the Baroda intrigues, he did not partake in Captain Barr's suspicion. A deposition by Ragoba, date 26 September, also gave good ground for believing that Smith was innocent of all participation, and Captain Barr's own notes of the 18th October point out that his suspicions against Mr. Smith could hardly have had in September such good foundation as a direct charge against him by an accomplice would have been.

(signed) A. Malet,
Chief Secretary.

10 December 1851.

— No. 60. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Messrs. *Blane* and *Bell*.

IN this letter two Europeans are referred to, either as being strongly suspected of having been guilty of a betrayal of trust or of complicity in nefarious intrigues carried on at the Presidency in connexion with Baroda. The suspicions entertained against Mr. Smith and Mr. Cole are founded on information obtained by Captain Barr from Ragoba Moroba. I think that Captain Barr should now be required to state distinctly the nature of the information he received, and to lay it before us in such a shape (whether by deposition or otherwise) as may enable us to judge of its value.

There can be no doubt that in this letter a distinct charge is made against Mr. Smith, uncovenanted assistant in the Chief Secretary's office, and likewise against Mr. Cole of the Military Accountant's office. I think it due to both of these parties, that they should be allowed an opportunity of rebutting the accusation if it be made in a tangible shape. I would, however, postpone any intimation to them until we shall receive Captain Barr's answer.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

11 December 1851.

— No. 61. —

No. 440 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Captain *H. Barr*, Military Paymaster, Bombay.

Sir,

I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your letter, dated the 9th instant, and with reference to the 2d and 4th paras. of that communication, to request that you will be pleased to state to Government, in the shape of a deposition, or in any form you may deem preferable, the precise information you received from Ragoba Moroba, which led you to believe that Mr. Smith and Mr. Cole were mixed up in the intrigues therein alluded to.

I have, &c.
(signed) *A. Malet*,

Bombay Castle, 15 December 1851.

Chief Secretary.

— No. 62. —

(A.)

From Captain *H. J. Barr*, Military Paymaster, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

CONSEQUENT upon the conversation which we had when I called upon you at the Secretariate to obtain certain information connected with the deposition of Ragoba, and the correspondence which then passed between me, Colonel Outram, yourself, and Mr. Goldsmid, I now beg the favour of being obtained to correct my letter to the address of the Chief Secretary to Government, dated 9th instant.

2. In the 4th para. of that communication, I stated as follows, viz. "In a private conversation I then had with him, I said that I had every reason for suspecting that Mr. Smith was not to be trusted, and that I had it in evidence from Ragoba that he (Mr. Smith) was present on several occasions when interviews took place between Craig, Joteshwur, and himself."

3. I have now the honour to state that my memory must have misled me in this, so far as my having told you of Ragoba's having confessed to me that
Mr.

Mr. Smith was present on several occasions, &c., as I now find that the warning I then gave you must have been simply to the effect that I had great misgivings in my own mind as to the trustworthiness of Mr. Smith, as the dates show me that the statement of Ragoba about Smith's presence at the meeting was not made till subsequent to the day on which my interview with you took place.

I have, &c.
(signed) *H. J. Barr,*
Captain.

Bombay, 31 December 1851.

— No. 63. —

MINUTE by the Right honourable the Governor, concurred in by the Board.

I DEEM the contents of this letter to be highly discreditable to the accuracy of Captain Barr, who should have been more cautious how he ventured to make the assertions he did in his letter of the 9th ultimo, and I think that the displeasure of Government should be communicated to him in consequence.

(signed) *Falkland.*
J. Grey.
D. A. Blane.
A. Bell.

6 January 1852.

— No. 64. —

From Captain *H. J. Barr*, Military Paymaster, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I BEG to acknowledge the receipt of your letter of the 15th instant, calling upon me to state to Government, with reference to the 2d and 4th paras. of my letter of the 9th instant, the precise information I received from Ragoba, which led me to believe that Mr. Smith and Mr. Cole were mixed up in the intrigue therein referred to.

2. In reply I have the honour to state, that the information upon which my suspicions were raised as to the complicity of Messrs. Smith and Cole in the transactions of Baba Nafra's agents in Bombay, were based upon the information obtained by me from Ragoba, which I communicated to the Resident at Baroda, so far as my memory serves me, in the month of September or October.

3. This was to the effect that Mr. Smith was present upon more than one occasion when Craig, Joteshwur, and himself (Ragoba) were conferring together upon matters connected with the Baroda bribery affair. These suspicions, I must also remark, were in a great measure confirmed in my mind by having been accidentally informed that Mr. Smith and Mr. Craig had each expended a larger sum of money in building a house or houses at Bandora than I thought it at all probable they could have saved out of their official salaries, and that, too, about the time when it appears from Ragoba's deposition, Craig acknowledged to him that he had received a sum of 10,000 rupees.

4. As regards Mr. Cole, the ground upon which I was led to believe that he also was mixed up in these matters, was the deposition of Ragoba, made before me subsequent to the despatch to Colonel Outram of his first confession; and in that he distinctly stated that he (Ragoba) had taken a son of Baba Nafra's to Mr. Cole, and that on that occasion this person had presented Mr. Cole with two large diamond rings of the value of 600 rupees, and to Mrs. Cole a shawl of the value of 300 rupees.

5. Again, Ragoba deposed to me that, in the month of July 1850, a sum of 2,500 rupees was sent to him through one Bapoo Bhaee, and that of that amount he had himself paid to Mr. Cole 625 rupees. In conclusion, I beg to observe, that as I was merely acting in the private capacity of a friend of Colonel Outram's, in eliciting what information I could obtain for him, and never had an

idea that I could be called upon officially by Government in the matter, the memoranda I kept connected with this subject are very meagre and incomplete; I am therefore, I regret to say, unable to be so precise as to dates, &c., as I could have been under different circumstances; and the delay which has unfortunately taken place in replying to your letter under acknowledgment has been caused mainly by the necessity I was under of referring to private notes from Colonel Outram (some of which I had mislaid), and of obtaining other data by references both to the office of the Chief Secretary and to that of Mr. Goldsmid.

I have, &c.

(signed) *H. J. Barr*, Captain,
Military Paymaster.

Bombay, 31 December 1851.

— No. 65. —

MINUTE by the Right honourable the Governor, concurred in by the Board.

I HAVE read this letter with some pain, because, when compared with his letter of the 9th ultimo, it gives me a very poor idea of the accuracy or discretion of Captain Barr.

I understand that the individual named Ragoba is still a subordinate in Captain Barr's office. He should be required, on pain of dismissal, to bring forward proofs of the facts, on the assumption of which he has asserted the complicity of Messrs. Smith and Cole in the transactions of Baba Nafra's agents at Bombay; and I propose that a commission, consisting of the Chief Secretary, of the Secretaries and Deputy Secretary to Government should assemble, examine Ragoba, and any other persons they may deem fit in regard to this matter, and report the result to Government.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

6 January 1852.

— No. 66. —

(Circular.)

No. 5 of 1852.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *H. E. Goldsmid*, Esq., Secretary to Government in the Revenue and Financial Departments; Lieutenant-Colonel *P. M. Melvill*, Secretary to Government in the Military and Marine Departments; *A. St. John Richardson*, Esq., Deputy Secretary to Government.

Gentlemen,

1. I BEG to intimate to you that, in conjunction with myself, you have been appointed by a Minute of the Honourable Board, circulated herewith, a commission to examine a person named Ragoba, who has given to Captain Barr information leading to suspicions of Mr. G. Smith, an assistant in my office, and Mr. R. L. Cole, of the Accountant-general's office, being connected with certain persons who, it is stated, some time since came from Baroda, with a view to obtaining corrupt influence in Bombay. We are also to examine any other persons we may deem fit in regard to this matter, and to report the result to Government.

2. I circulate the whole of the papers connected with the case, and shall be obliged by your meeting at my office at noon on Friday, the 9th instant, to determine what steps we should take.

I have, &c.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 7 January 1852.

(True Extract.)

(signed) *H. E. Goldsmid*,
Secretary to Government.

31.

Collection No. 2 of No. 37, Bombay Political Department,
Letter from, dated 3 April 1852.

BARODA INTRIGUES.

REPORT of COMMITTEE of SECRETARIES of the Bombay Government, on the subject of certain Intrigues in connexion with affairs at Baroda, alleged to have been carried on in Bombay, during the year 1848 and the early part of 1849, through the medium of Agents employed by Baba Nafra, Manager of the Banking Firm of Hurree Bhugtee of Baroda.

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Bombay Castle, }
3 April 1852. }

(signed) *H. E. Goldsmid*,
Secretary to Government:

— No. 1. —

EXTRACT Bombay Secret Consultation.

No. 5 of 1852.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to *H. E. Goldsmid*, Esq., Secretary to Government in the Revenue and Financial Departments; Lieutenant-colonel *P. M. Melvill*, Secretary to Government in the Military and Marine Departments; *A. St. John Richardson*, Esq., Deputy Secretary to Government.

Gentlemen,

1. I BEG to intimate to you that, in conjunction with myself, you have been appointed by a Minute of the Honourable Board, circulated herewith, a commission to examine a person named Ragoba, who has given to Captain Barr information leading to the suspicion of Mr. G. Smith, an assistant in my office, and Mr. R. L. Cole, of the Accountant-general's office, being connected with certain persons who, it is stated, some time since came from Baroda with a view to obtaining corrupt influence in Bombay. We are also to examine any other person we may deem fit in regard to this matter, and to report the result to Government.

* In three compilations, Nos. 49 and 2,098 of 1850, and 75 of 1851.

2. I circulate the whole of the papers* connected with the case, and shall be obliged by your meeting at my office at noon on Friday, the 9th instant, to determine what steps we should take.

I have, &c.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 7 January 1852.

— No. 2. —

REPORT of a Committee assembled by order of the Right honourable the Governor in Council, dated 7th January 1852.

A. Malet, Esq., President, *H. E. Goldsmid*, Esq., Lieutenant-colonel
P. M. Melvill, *A. St. J. Richardson*, Esq., Members.

1. IN obedience to the orders of the Honourable Board, we have examined the person named Ragoba Moroba, a clerk in the Military Pay Office, who gave to Captain Barr, some time ago, information tending to implicate several parties in transactions of an improper and suspicious character connected with Baroda affairs.

2. In giving his evidence there was no apparent hesitation or desire to evade any inquiry on the part of Ragoba; but nevertheless he seemed to be delivering some well-arranged story, and the exact identity between the statement he made before us, and the deposition formerly taken down by Captain Barr, leads to the impression that the man was drawing upon his memory of what he had before stated, rather than of the circumstances which had actually occurred.

3. To Ragoba's statement, credence should be cautiously given; by his own account he has taken a very culpable part himself in the transactions he describes, and he is plainly seeking to secure himself from punishment by denouncing an accomplice who is at a distance, and not likely to be confronted with him; and we cannot give credence to the assertion that, although he had never previously taken part in any such transactions, Craig, without in the first instance obtaining his consent, or even speaking on the subject to him, mentioned his name in the anonymous letter he wrote to Baroda, as that of the party to whom the person sent from that place by Hurree Bhugtee's firm should apply on his arrival at Bombay: nevertheless we are bound to admit that we vainly endeavoured to shake his evidence by such cross-examination as the papers and information placed before us enabled us to carry on; and we have failed to discover any clue or train, whereby collaterally its real value might be accurately tested.

4. The one prominent fact in Ragoba's statement is simply this, viz., that a person named Craig, formerly employed in the Secret Department of the Secretariate, did, about the year 1848, obtain a large sum of money from the agent of Baba Nafra, in Bombay, under pretence of assisting, by means of his (Craig's) influence with a member of the Government (Mr. Reid), to procure a favourable decision of pending cases in which Baba Nafra was deeply interested. This man Craig appears to have been appointed to the situation of superintendent of sectioners by Mr. Willoughby in 1838; he is described by Mr. Thomas, in his memo. attached to our proceedings, as having always been punctual in his attendance and zealous in the discharge of his duties, and to have borne so high a name for integrity as to be selected in preference to others for copying important papers which required to be kept secret. No suspicion, it is said, ever was attached to him of the slightest betrayal of the confidence reposed in him; and he had moreover the reputation of being a pious man, and unimpeachable in his private character, until some domestic circumstances became known, which proved him to be scandalously depraved. He was never dismissed from his employment, but in February 1849, permitted to proceed on leave to Calcutta, and eventually his name was struck off the books of the office only because he had not returned to Bombay when the term of his leave expired.

5. If Craig were really the scoundrel he is now alleged to have been, it is surprising that he should so long have sustained the character he bore for integrity, and that even the discovery of his infamous turpitude in private life should have failed to excite suspicion of his official rectitude.

6. The impression conveyed by Ragoba's statement is that Craig received the large bribe (10,000 rupees) under pretence of transferring it to the hands of Mr. Reid, who was at that time one of the members of Council. We may be slow to believe that the agent of Baba Nafra would have trusted Craig with the money without some sort of security that it would reach the object for which it was intended. It is far more probable that Craig and Joteshwur (the agent) understood each other; and that while the one received money for himself, the other persuaded his principal at Baroda that he had spent far more and upon parties in a higher sphere, and it was perhaps deemed safer to take the name of Mr. Reid, who was so soon to leave the country, than the name of any other person connected with the Government, to whom the parties at Baroda might possibly depute, at some subsequent period, another agent who could have detected the fraud of which Joteshwur had been guilty. There is much in Joteshwur's examinations before the late Commissioner and the Resident at Baroda to strengthen this supposition, and there is nothing in Ragoba's story to militate against it. Inquiry shows that Craig was unknown to Mr. Reid; he had no means of displaying to any native friends that he possessed the power of communicating even with that gentleman; and it seems therefore very unlikely that he could have satisfied the shrewd and subtle emissary of the Baroda banker, as to the reality of his asserted influence. Ragoba may have been blind to the game, or it may not now suit his purpose to describe it as it was really played. The latter is far more probable; and the anonymous letters addressed to Mr. Malet and to Colonel Outram, point to this solution of the doubt. In one it is said, "These persons (meaning Joteshwur and Ragoba) brought a sum of 10,000 rupees, on a pretence of presenting them to Mr. Reid, and informed Muhaluxmee Setanee, widow of Hurry Bhugtee, that the sum was delivered to that gentleman through Mr. Crake (Craig) and another Indo-Briton, whose name I am ignorant of, and both of them clerks in your department; but the sum was divided among these four persons (viz. Joteshwur, Ragoba, Craig and the Indo-Briton)." In the other there is this passage: "But when he (Joteshwur) formerly came here, he brought with him 10,000 rupees, and told the Setanee that he gave this amount to Mr. Reid; but this money was divided among Ragoba, Simpey, employed in the Military Pay Office, Mr. Craig, a half caste, and another person, a half caste, also in the Political Department."

7. Our instructions require us to investigate the information given by Ragoba to Captain Barr, which may lead to the suspicion of Mr. G. Smith, an assistant in the Chief Secretary's office, being concerned in the transactions in question. In Ragoba's former depositions, and in his evidence before us, there is not a word which tends to implicate Mr. Smith. He is a brother-in-law of Craig's, and they long resided in the same house, so that the presumption naturally arises that the one should have been cognizant of the doings of the other. Ragoba, however, distinctly declares, "If Mr. Smith knew anything of what was going on from Mr. Craig or Joteshwur I cannot say, but certainly he knew nothing to my knowledge. I do not suspect, or never suspected, that Mr. Smith knew anything of the matter." Captain Barr, when called upon to state the grounds of his suspicions against Smith, details them thus:—"1st. Knowing that the anonymous letter referred to a second half caste, and Mr. Smith being one* holding a situation in the Political Department of the Secretariate. 2d. His being Craig's brother-in-law. 3d. Ragoba's having stated to me, that on two or three occasions, when he, Joteshwur and Craig, were conferring together, Smith was present. 4th. From incidentally hearing that a house or houses, lately built at Bandora, had been erected by Smith and Craig, either in copartnery or separately; and generally by the answers I received to questions which I put to Ragoba from time to time, when trying to elicit further information."

8. Although

* Mr. Smith states that he is of European parentage; but European clerks born in India are frequently termed "half castes" by natives, without reference to the actual meaning of the term.

8. Although the anonymous letters mention a second half caste, it is remarkable that neither Joteshwur, in his examinations at Baroda, nor Ragoba, in his depositions at Bombay, ever allude to such a party being concerned. There may have been such a party; but if so, it seems extraordinary that the name of Mr. Smith should not have been equally well known to the writer of the letter as that of Mr. Craig; at all events, the relationship would in all probability have been indicated. With regard to the houses, Mr. Smith has put forward an explanation which seems to be satisfactory; and generally speaking, whatever presumption may be raised against Mr. Smith in consequence of his peculiar relationship and connexion with the guilty party, it must necessarily be allowed that if Ragoba's evidence be enough to criminate Craig, it should be regarded as sufficient to exonerate Smith. Captain Barr, distinctly states, "that Ragoba always stoutly denied that Smith was mixed up in the affairs in which he, Joteshwur and Craig were engaged;" but he adds, that he "was under the impression that he (Ragoba) was afraid to say all he knew about the matter." This may have been so; but we are bound to say that nothing has come before us tending to justify the suspicion that Mr. Smith was implicated in, or cognizant of, the misdoings of his relation, Craig.

9. There is one part of Mr. Smith's evidence before us to which special attention may be drawn: it is cited in the margin,* and no comment can be needed to illustrate the danger of permitting such a practice to continue. It has been interdicted in general terms by the notification of 30th September 1843, and in direct terms by that of 20th June 1851; but if there be the least reason to suppose that it is still continued, the most stringent measures should be adopted to put an effectual bar to it forthwith.

10. Our instructions require us further to investigate the information given by Ragoba, relative to Mr. Cole, an assistant in the Accountant-general's office.

11. It appears from Ragoba's statement that Cole's communications with the Baroda agents referred solely to legal matters pending in the Supreme Court, and that he (Cole) acted only as a confidential clerk (as he described himself) of Mr. Howard, the barrister. In this capacity money was given and received; but there is no reason to suppose that Cole had ever any concern in those transactions which related to cases pending before the Government. His name is not associated with that of Craig in any evidence which has come before us.

12. Captain Barr's reasons for suspecting Cole seem very slight, "As to Mr. Cole," he says, "all I know regarding him is what Ragoba has stated. I do not think he took bribes for the betrayal of official confidence; but from his having taken presents from the agents of Baba Nafra, I was under the impression that he might know of the misdeeds of others, and be able to give information against them. I asked for the conditional pardon, not being sure at the time whether I could gain anything from him or not, but thinking that, should I find such to be the case, it would enable me to act at once."

13. The presents received by Mr. Cole are shown to have been given as fees for service in connexion with legal proceedings, and therefore cannot be classed with the corrupt practices charged against Craig and Ragoba; but how far it may be considered right that a Government servant in the position of Mr. Cole should at the same time officiate as the "confidential clerk" of a barrister in the Supreme Court it is for the Honourable Board to determine.

14. It may here be remarked, that the abrupt conclusion of Captain Barr's proceedings, with regard to the transactions we have been investigating, has been but imperfectly explained. In his letter to Government, of the 9th December last, he states, that in the month of November 1850 he called upon Mr. Goldsmid to look at some documents that he might be prepared to carry out inquiries which he was about to make of Mr. Cole; but then learning that all the papers in question were under charge of Mr. Smith, he at once saw that any further steps

on

* Mr. Smith "explains to the Committee, that he had no reason to suppose that 2,000 rupees was an extravagant sum to pay for writing petitions in cases favourably decided; for although he himself has never been engaged in such matters, he had always understood that large sums were paid, especially when large interests were involved, and favourable answers were obtained."

on his part must result in disappointment, and wrote to Colonel Outram to that effect. This explanation would be perfectly intelligible, were it not proved by a note written by Captain Barr to Mr. Malet, on the 18th October, that the fact which he describes himself to have learnt in Mr. Goldsmid's office, in November 1850, was really known to him at least a fortnight before, and prior to the sanction of Government for the conditional pardon to Cole being applied for or granted. On the 18th October, Captain Barr thus writes to Mr. Malet:—"I much fear, however, that the knowledge Mr. Smith has been allowed to gain by all the papers connected with Baba Nafra's affairs having been placed under his charge will operate greatly against our coming at the truth." On the 21st October, Colonel Outram officially applied for Captain Barr to be empowered to hold out the offer of pardon to Cole; and on the 26th

October, Captain Barr writes to Mr. Malet:—"If the pardon proposed is to be held out to Cole, of course the sooner it is done the better." On the 1st November, Mr. Goldsmid, as Secretary to Government, intimated to Captain Barr that he was authorized to offer the conditional pardon, provided he thought it would be con-

ducive to the public interests to follow that course. And it certainly does not appear to be a sufficient or satisfactory reason on the part of Captain Barr to assign for not having acted on the authority thus conveyed, or in any way pursued the inquiry he was prosecuting, or even intimated that he had dropped it, to allege that he found the papers in the hands of Mr. Smith, when he had been cognizant of that fact some time before. It is further extraordinary that Colonel Outram himself was never made aware that any such authorization had been conveyed to Captain Barr. The concluding paragraph of the Resident's letter, of the 15th September 1851, runs thus:—"If Government did authorize Captain Barr to examine Mr. Cole, I should esteem it a favour to be informed of the circumstance. For the impression left in my mind by that officer's communication is, that no such authorization was conveyed to him." He cannot account, then, for the sudden cessation of the inquiry in November 1850; but it must be remembered that Captain Barr was not acting in any responsible capacity, but as a kind of friendly agent on behalf of Colonel Outram; and the irregularity of such a mode of procedure in a case of much delicacy, as involving the interests and the character of both the British Government and its ally, the Guicowar, must be obvious to the Honourable Board, and can require no comment from us.

15. It is greatly to be regretted that Craig is beyond our reach; were he here, he might be made amenable to punishment, or he might, in his defence, could he be subjected to examination, demonstrate the truth or falsehood of the fact of his guilt, and of his being alone in his guilt, and thus the suspicions which still linger about us that we have not arrived at the real truth, and that other parties may have been concerned in practices of corruption in the Secretariate establishment, or elsewhere, might be permanently dispelled.

16. It is clear, from the opinion which Mr. Acland has given, that Craig cannot be indicted for conspiracy, although a case might possibly be made out against Joteshwur, were he within our jurisdiction, and amenable to our courts of justice. On reference to the papers forwarded by Lieutenant-colonel Outram, it will be found that Joteshwur was examined and cross-examined many times before the Resident, at Baroda, and before the late Commissioner there, Mr. Frere; and

Mr. Goldsmid, who received charge of the office at the Presidency of the Political Secretary on the 3d October 1850, the Political Secretary himself and head assistant being with the Right honourable the Governor in the Deccan, states that he was first informed by Mr. Smith, the second assistant in the Political Department, of Captain Barr having been intrusted with an inquiry relative to Baroda matters, and of Government being in the expectation of receiving information from him, and that it was from Mr. Smith's dictation that Mr. Goldsmid penned a note to Captain Barr, asking him what progress had been made. Further, that Captain Barr, on receipt of the note, came over to Mr. Goldsmid's office, and was then informed, on expressing his suspicions relative to Mr. Smith, of the papers being in his charge, as also at two subsequent periods of the papers on the subject, which came from the Deccan, passing through Mr. Smith's hands. It was in consequence of Captain Barr being of opinion that the inquiry would be thereby thwarted, that Mr. Goldsmid suggested to him he should speak to the Honourable Mr. Willoughby (see Captain Barr's note to Mr. Goldsmid, dated 18th October).

Comp. 2098 of 1850, page 20. The whole of the papers Mr. Goldsmid received were made over to the Chief Secretary with note of 21st April 1851 (page 26), some pages of which are not now in the compilation in which the others have been filed.

There are four pages omitted which must have formed the enclosure to Colonel Outram's letter of the 11th of October 1850, for which enclosure a copy has been substituted, the original having been sent to Baroda on the 18th of August 1851, at Colonel Outram's request; there must have been some mistake by Mr. Goldsmid in the number, as 5 and 7 are entered on the two sides of one half sheet.—(signed) A. Malet, Chief Secretary.

that on the 14th August 1851, a representation was made by the former, at the instance of the latter, to his Highness the Guicowar, that Joteshwur had been guilty of perjury before the Commissioner, in consequence of which he was fined 500 rupees by the Guicowar.

17. No advantage, therefore, can be anticipated on the result of any attempt to obtain the person of Joteshwur, or in any way to subject him to further examination. Craig might be publicly proscribed from the service, or the Government of Bengal might be requested to preclude him from employment under that

Two communications have been addressed to the Secretary to Government in the Foreign Department at Calcutta, dated 20th February 1851 and 5th December 1851, relative to Craig, but neither of them has yet been replied to.—(signed) *A. M.*

Presidency, as he is understood to be in Calcutta; and, possibly, when thus thrown upon his defence, the man

might offer to disclose the real truth and extent of the transactions in which he is accused of playing so criminal a part.

18. If the large sums of money which have been stated have really been expended in Bombay for corrupt purposes, by the agents of the house of Hurree Bhugtee, it is possible that the firm may be in possession of receipts proving who have been the recipients of the several items entered in their accounts. Could such documents be produced, there would be an end to doubt; but it is for the Honourable Board to consider whether any and what steps can be or ought to be taken to persuade or compel the firm to produce their books and the original vouchers to the disbursements entered therein.

19. It must also rest with the Honourable Board to determine whether Raghoba is to be considered as entitled to the pardon which was made the condition of his disclosing the whole truth; and if the Government is not satisfied on this point, the man should forthwith be suspended from his present employment, and afterwards subjected to such punishment as may be deemed proper.

(signed) *A. Malet.*
H. E. Goldsmid.
P. M. Melvill.
A. Richardson.

PROCEEDINGS of a Committee assembled by order of the Right honourable the Governor in Council, dated 7th January 1852.

Friday Noon.

Present:—*A. Malet*, Esq., President; *H. E. Goldsmid*, Esq., Lieut.-colonel *P. M. Melvill*, *A. S. J. Richardson*, Esq., Members.

PAPERS laid before the committee by Mr. Malet are recorded.

Captain H. Barr's attendance being requested, the investigation proceeds.

Captain H. Barr, having attended before the committee, informed them, that his attention was first drawn to this subject by an anonymous petition, received from Colonel Outram, about August 1850; extract of copy of his letter he produces, copy of which is on record with Colonel Outram's letter, 16th August 1850. Colonel Outram requested him to obtain information through another clerk in Captain Barr's office, named Byramjee, with whom Colonel Outram had some acquaintance, and he (Byramjee) advised that Raghoba should be personally examined; therefore Captain Barr wrote to Mr. Malet to stipulate immunity for Raghoba, on condition of his confession, and that Raghoba was not examined until that stipulation was sanctioned, although Captain Barr had spoken to him on the subject, and he (Raghoba) was under the impression that Captain Barr knew more of his proceedings than he really did at that time, and therefore became much alarmed.

Colonel Outram has depositions in original, of which copies are on the record. Captain Barr compares the copy on record with that in his possession, and verifies the deposition forwarded with Colonel Outram's letter, No. 229, 26th September 1850, as a true copy of the deposition taken by him from Raghoba, who copied in his own handwriting the paper which was sent to Colonel Outram, Captain Barr having written the original with his own hand. This deposition was elicited by questions suggested as the examination proceeded.

Read a copy of a letter from Raghoba to Captain Barr, dated . Upon this, Captain Barr states, that Raghoba came to him and made a statement relative to treacheries which occurred at the time of Govind Rao Guicowar's visit to Bombay. Captain Barr took notes of his conversation, and requested Raghoba to write down his own statement; and the letter entered and received with Colonel Outram's letter, 244, dated 11th October 1850, purports to be the sum of that conversation. Captain Barr took no further steps forwarding the information to Colonel Outram, with the suggestion, that, as mention was made of Mr. Cole, he had hopes that corroboration of the facts might be obtained through Mr. Cole thinking he (Mr. C.) was only acting a secondary part. Captain Barr presumes

presumes that Colonel Outram has all the notes written to him on this subject; Captain Barr fancied, from conversations with Raghoba, that he had withheld information, and that a second half-caste was involved; finally Raghoba named Mr. Smith as having been present at interviews between Joteshwur, Raghoba, and Craig, but stoutly denying that he had taken any part in the discussion, or had any share in the subject; of course Captain Barr taking it for granted that Mr. Smith was involved in a knowledge of the business, or some part in the whole business.

Captain Barr has repeatedly warned Raghoba that his fullest confession was the condition on which he was promised immunity, and if he was afterwards discovered to have withheld information, that immunity would be forfeited.—*Vide* Government Letter, dated 11th September 1850.

Relative to the part which Mr. Cole has taken, as much as has been brought to my notice, my letters of 31st December and 9th December contained all that I knew about it, and they also explain why I have not spoken to Cole on the subject; the letters are read and recorded.

Mr. Cole.

A letter offering, or rather suggesting, the unconditional offer of pardon to Mr. Cole was written by the Secretary to Government to Captain Barr on November 1850, and Captain Barr appears to have omitted to act upon it, because he became aware, that up to the time of certain visits to Messrs. Malet and Goldsmid in their offices, with a view to look over the papers on this subject, that Mr. Smith had had all the papers connected with the inquiry then proceeding; with regard to Baba Nafra's treacheries, in his own hands, that Captain Barr omitted to inform Colonel Outram of his being the authority conveyed in the letter from the Secretary to Government, dated November 1850, because he believed that the purport of that letter would have been conveyed officially to the Resident, and therefore Captain Barr dropped all inquiry.

Captain Barr is requested to be good enough to direct Raghoba to attend at the Chief Secretary's office on Saturday, 10th January, 11.30 A.M.

[The Committee is adjourned.

9 January 1852.

(signed) A. Malet.

10th January 1852.—Committee assembled at 11.30 A.M.

Raghoba Moroba, tailor, has been about 14 years in the Government service, that is, in Captain Barr's office, having been previously in an attorney's office; says he is about 42 years of age. He understood from Captain Barr that Government has promised him immunity for the consequences of his conduct, on condition that he confessed all he knew. I know Mr. Craig, who was in the Political Department; he wrote to me about 1848, that there is a gentleman named Baba Nafra, who has some business on which he has written me a note, upon which I went to Mr. Craig's house, and asked him, "Who is this gentleman, and what is the cause he may have?" upon which he said, "The gentleman has written a letter to me, and will come to Bombay, and that I will hereafter make you understand his purpose." About a month after that, Joteshwur, whose father's name I do not know, came; Joteshwur came to my house, and I took him to see Mr. Craig; after that we three saluted each other, and conversed; hereupon Joteshwur showed a letter from Baba Nafra, which was written in Guzerattee, and read us the purport, to the effect that Bhana had already come (to Bombay), and that 2,000 rupees had been sent by him; wherefore Joteshwur and Craig went by themselves into another room, and talked on private subjects; after that he, Joteshwur, came out, he and I came away. About four or five days afterwards I and Joteshwur went again, and two or three days afterwards Joteshwur gave Craig 2,000 rupees, bank notes; whereupon I asked both Joteshwur and Craig why this 2,000 rupees had been given; they both said there has been a dispute between Hurree Bhugtee and the Shastree's family; and I asked for whose assistance has this sum been given? he gave no one's name; whereupon I said "I am a poor man, and cannot meddle in such a business." Perhaps 15 days afterwards Joteshwur brought me a Guzerattee paper, and having read and shown it, he told me that it was from Baba Nafra's. He read it; and in it was written, "Engage in this business, and it goes all right, I will not forget the service you have rendered." There was much more, but I do not recollect. Afterwards I went with Joteshwur to Mr. Craig's house, and Craig pressed me very much, and then he gave him to understand that there was a case going on between the Shastree and Hurree Bhugtee, particulars of which Joteshwur was in the habit of writing to Baba Nafra; and many days after I was constantly going to Craig's, sometimes alone, sometimes with Joteshwur, and much correspondence passed. Some time after this, Baba Nafra wrote to Joteshwur something about a dispute between Hurree Bhugtee and Bhasker Rao Wittul; also regarding a dispute between Joetabhaee and Hurree Bhugtee; after that there was a dispute about Hurree Bhugtee and Govind Rao Gaekwar, upon which Baba Nafra wrote many particulars, of which I do not remember all; but among them it was written, that relative to Hurree Bhugtee's claim against Govind Rao, Baba Nafra had given the Resident accounts; that these accounts were false (so said the Resident), and that the bond was false, and that he would cancel the guarantee of Hurree Bhugtee's firm. Joteshwur was also requested to tell all this to Craig, and make arrangements with that gentleman, whose aid was to be obtained. Joteshwur sent this paper to Craig, and explained; after some conversation between them, Craig's answer was written to Baba Nafra, but I do not know what the answer was. After four or six months, Joteshwur showed me 10,000 rupees (bank notes), and said that "I am going to give this to Craig;" I did not go with him; I asked him why he was going to give this money; he merely answered, it was to be given to the person who had assisted in his business. I inquired, "Who is that?" he gave

no name, but said that Mr. Craig says it is to Mr. Reid. He (Joteshwur) went himself, and gave it to Craig. About a month after Joteshwur returned to Baroda. Some days after, Craig, one day, wrote to me that he was going away on three months' leave, and that he had arranged all the matters here; and he said, "Do you not trouble yourself or speak about these things to any body;" and also wrote that the "ten" have reached me. I have given it to the person. I wrote through Joteshwur's man, Bulwunt, that Craig had taken three months' leave, and had made the arrangements. Joteshwur wrote an answer to Bulwuntrao, asking, "May not Craig have run away with my money; what arrangements has he made?" He was in the habit of constantly writing letters to Bulwuntrao to this effect, and I used to answer that he had not returned, &c., &c. Afterwards Joteshwur came, and I went to Craig's house, and spoke to his mother, who said she knew nothing about our business; why did we come there? Having told Joteshwur, I wrote a letter to Craig at his request, to be given to his mother for despatch, saying that he had taken 10,000 rupees from Joteshwur; and that nothing had yet been done, and that I, poor man, should be ruined. I gave a letter to this effect to his mother; but about two months afterwards a letter in reply came to me, to the effect that "he cannot come." I forgot to mention that in this letter I said, that if he did not come, and Baba Nafra was cheated out of his money, I, deponent, should go and tell Mr. Smith (who was Craig's brother-in-law, and lived near him). I said this to frighten him. He replied as above, that he could not return, and if I complained to any one, Baba Nafra would be injured. I explained this to Joteshwur. After this Baba Nafra was imprisoned in Baroda; and when I was aware of this, I tore up all the letters Craig had sent me. There was money to be received by Hurree Bhugtee's firm from Mr. Compton's office, and the son of Baba Nafra came with the retinue of the Gaekwar to Bombay; I took the son to Mr. Cole. There was conversation relative to the demand against the estate of the late Mr. Williams, and about Joetabhaee's business, at a second meeting, at which I and Baba Nafra's son were present; the latter gave Mr. Cole two rings and a shawl, and gave me a turban and a pair of shawls. After the Gaekwar's departure in Joteshwur's place, Bapoobhaee had come from Baba Nafra to Bombay; that by him 2,500 rupees were sent by Baba Nafra to me, from which 750 rupees were given as a fee to Mr. Howard, and 625 rupees to Mr. Cole; 1,000 rupees were given through Mr. Cole to Mr. Leggett, the attorney, and 125 rupees to Bapoobhaee for his expenditure. On the marriage of my daughter, 50 rupees, as a present, were given to me by Bapoobhaee from Baba Nafra. I cannot detail any more.* Captain Barr told me that it was reported that I, deponent, had given of Hurree Bhugtee's money 1,400 to Captain Macdonald, of 22d Regiment, to use his influence with Colonel Outram; but I replied that I had not done so. I pawned my own jewels with Baba Nafra's man, Bapoobhaee, and had lent the money as my own to Captain Macdonald. I do not remember more.

Question by the Committee.—Mr. Craig and I were first acquainted in 1846, through the business in the military pay office, where Mr. Craig sometimes came. I never had business of the above kind before this time with Mr. Craig; I have not a single letter or paper to show on the above subject, having torn them all up; that is to say, five original notes which Craig had written. I have given no copies to any one, and kept no copy of about four letters which I wrote to Craig. No letters were written to me on this subject; what was written was sent to Joteshwur and Bapoobhaee.

Q. and A.—I have no paper from Mr. Howard for his fee, because I gave it to Mr. Cole.

Q. and A.—My reason for writing to Mr. Craig was to frighten him, that if he had deceived them, I would complain to Mr. Smith, who used to see me going to and at Mr. Craig's sometimes, and I thought he would be ashamed if Mr. Smith knew of this business; Mr. Smith was never present when I had a conversation with Mr. Craig on the above, but he was sometimes present when I had interviews. I cannot remember whether or no Mr. Smith may have come in whilst conversation on the above subject was going on, and we consequently at once stopped; but this I can positively state, that he was not present while the conversation was going on.

If Mr. Smith knew anything of what was going on from Mr. Craig or Joteshwur, I cannot say, but certainly I knew nothing to my knowledge. I do not suspect, or never suspected, that Mr. Smith knew anything of the matter; since, I asked Craig if Mr. Smith, being his relation, and living in the neighbourhood, did not know anything of the matter, and Craig replied, that it is not customary among us Sahibs to look (watch) into each other's business.

Answer to Q.—Captain Barr expressed strong suspicions that Mr. Smith must have known of it. I always said he may have known, but not to my knowledge. Captain Barr, I well remember, first mentioned Mr. Smith's name to me; not I to him. Captain Barr questioned me generally for a letter received from Colonel Outram, when he examined me according to the orders of Government.

Joteshwur was present when I had these conversations with Craig.

The first day that Captain Barr questioned me relative to these Baroda matters, I said I was afraid to answer; that very day Captain Barr obtained the Government letter, and showed it to me.

From the time that Joteshwur, having given 10,000 rupees, went to Baroda, I had no further meeting with Mr. Craig, who went away about one month after Joteshwur had left Bombay.

The

* Adds, on 13 December, that he forgot to mention also a turban and dhoputte, but altogether cost 35 or 40 rupees.

The original deposition of 12th September 1850 was deposed by me to Captain Barr, who wrote it down as described, and I made a copy for Captain Barr at his own request, and that copy was sent to Government, or to Colonel Outram. Afterwards, when summoned to give my evidence to Mr. Johnson, of the Court of Requests, I told Captain Barr that I was afraid I should not recollect all the deposition I had made, and asked him to let me read it, which he did, and immediately gave it back to him. From that day to this I have not seen it, or a copy of it. I did not know till this morning that I was to come here, nor did I know till this morning that he would be questioned.

Joteshwur used to show me the papers which came from Baroda, and sometimes the original and sometimes copies of those that went to Baroda. He also used to show Craig the letters, and took his advice; but as Craig could speak Hindoostanee, and Joteshwur also, I was not present always. Craig also told Joteshwur to write that Hurree Bhugtee's firm would gain the suit in the case of the Shastree, and that there was no fear; in regard to Joetabhaee's case, he would inquire further. Craig also once told Joteshwur that the Resident's opinion in some cases, which I do not remember, would not be acted on by Government. I always thought that Mr. Craig was practising deception as regards the money. I frequently spoke to Joteshwur about giving so large a sum as 10,000 rupees, and asked him what benefit he would get from it. He told me that Craig had told him that it was to be given to Mr. Reid. Mr. Craig never mentioned Mr. Reid's name before me. I repeatedly told Joteshwur that I appeared to have been taken into business for no purpose, as he and Craig had private interviews, and that he (Joteshwur) did not open his heart to me, and I thought that Mr. Reid's name had been taken falsely. Joteshwur and Mr. Smith talked sometimes on complimentary subjects, nothing in particular. I did not know Joteshwur before he came from Baroda.

Craig used to come on business to the military pay office to take remittances; but for whom they came, or on whose account he took them, I know not.

I never wrote a single paper, or copied one, for Mr. Craig, nor did any writing, English or Muratha, in my hand go to Baroda.

I took Baba Nafra's son to Mr. Cole about the business in Mr. Compton's office, connected with Mr. Williams' estate. My reason for taking him to Cole was, that he wished to employ Mr. Howard, and, well aware that he had regard for Mr. Cole, I had met Mr. Cole before; he was often in my office for remittances. Mr. Cole never received in the Baroda business aught except the rings and the shawl, and the money I have above-mentioned. He went to Mr. Howard and the sheriff, and gave other assistance in the Supreme Court proceedings, but that * nothing with the Government. When Bappoobhaee explained about Joetabhaee's business, Mr. Cole took the retaining fee for Mr. Howard, and Bappoobhaee was to have written a statement; but whether or no he did, I know not. I never gave Captain Barr occasion to think that Mr. Cole was guilty of fraud, nor did I ever lead Captain Barr to believe that Mr. Cole could give information regarding any fraud, or could enable Government to trace any fraud. I do not think that Mr. Cole knows anything more than I have stated, or can give any information beyond what I have told Captain Barr, even if he had a certificate of pardon.

* S. O.

I did not know Bappoobhaee until he came with Joteshwur from Baroda. I pawned my own jewels with him, and afterwards redeemed them, and pawned them elsewhere, and from him I received the 1,400 rupees paid to Captain Macdonald, and have a bond in my own name, dated, I think, April.

Joteshwur used to come backwards and forwards from Baroda during the time above-mentioned, and on one occasion he asked Mr. Craig what present he should bring him, and Craig said a horse; but as Joteshwur did not send or bring a horse, he made Craig a present of 200 rupees.

Captain Barr being present, and Ragoba's evidence having been read over to him, he is asked to state in detail what grounds he had for suspecting Mr. Smith, and of what, and what description of information he expected Mr. Cole would give, and to criminate whom?

The causes for my suspicions against Smith being raised, were, 1st, knowing that the anonymous letter referred to a second half caste, and Mr. Smith being one holding a situation in the Political Department of the Secretariate; 2d, his being Craig's brother-in-law; 3d, Raghoba's having stated to me that on two or three occasions, when he, Joteshwur, and Craig, were conferring together, that Smith was present; 4th, from incidentally hearing that a house or houses, lately built at Bandora, had been erected by Smith and Craig, either in co-partnership or separately, and generally by the answers I received to questions which I put to Raghoba from time to time, when trying to elicit further information. I must distinctly state that Raghoba always stoutly denied that Smith was mixed up in the affairs in which he, Joteshwur and Craig, were engaged; but I was under the impression that he was afraid to say all he knew about the matter, and I was in the habit of very frequently telling him that I thought he was keeping back evidence, and warned him of the consequences. As to Mr. Cole, all I know regarding him is what Raghoba has stated. I do not think he took bribes for the betrayal of official confidence; but his having taken presents from the agents of Baba Nafra, I was under the impression that he might know of the misdeeds of others, and be able to give information against them. I asked for the conditional pardon, not being sure at the time whether I could gain anything from him or not, but thinking that should I find such to be the case, it would enable me to act at once.

Raghoba being recalled, and examined, states, "I mentioned Mr. Reid's name to Mr. Barr, in consequence of what Joteshwur told me, as I have deposed above. Mr. Barr did not first introduce Mr. Reid's name."

[The Committee adjourns.

(signed) A. Malet.

12th January 1852.—The Committee re-assembles.

Mr. G. Smith having been called, the following papers are read to him :

Captain Barr's Letter, dated 31st December.

Raghoba's evidence, dated the 10th instant, as far as marked in the margin ; and Mr. Smith is desired to say anything he may wish to say.

Mr. Craig was my brother-in-law, and, being in pecuniary difficulties, I allowed him to live in part of my house, at Ketwaddy. (There was a separate entrance, but a door-way communicating.) We were constantly together, and I have seen natives come to him for the purpose, as I understood, of his drawing up petitions for them, and, as I then believed, connected with Baroda cases. At one time he had a considerable sum of money, which his wife told me had been given for some business he had done of the above kind, to the best of my recollection about 2,000 rupees. I never inquired particularly of Mr. Craig who the parties were who came to him ; but I understood him to speak to me, at that time, about the case of some widow woman at Baroda. I never asked from Mr. Craig, nor did I obtain from any one, a farthing for matters connected with these transactions, nor indeed was I ever consulted about them.

On one occasion, when at Bandora, Mr. Craig being at the time at my house, some natives visited him ; they also saw me for a few minutes ; they came to me to make a "salaam," and while with me, were sent for by Mr. Craig. I have not the slightest recollections what was the reason of their coming to me, excepting to make a salaam, which they did. I do not recollect Mr. Craig having ever mentioned Mr. Reid's name to me. My impression was, that he was in the habit of drawing up petitions or cases in which, or the doing so, as I supposed, there was no moral turpitude.

With regard to the allusion made by Captain Barr to my building a house at Bandora, I beg to refer to my note of 14th November 1851 to the Chief Secretary.

I could not identify, I think, the parties who came to my house at Bandora ; all I know is, they were Hindoos, but what caste I know not ; the circumstance of their coming made no impression on my mind. The same remarks apply to the parties who used to come to Mr. Craig, at Ketwaddy, where we then resided.

I have seen Raghoba with Mr. Craig, at Bandora, in about the year 1846, I think ; we were living at the time in a hired house near the Portuguese Church, so I could easily find out the year. The natives who made the "salaam" to me, at Bandora, came about three years ago. Raghoba may have been with them, but I do not recollect, nor do I remember whether I saw him ever at Ketwaddy ; but the impression in my mind is, I saw him oftener than once with Mr. Craig, and if so, probably it was at Ketwaddy.

The portion between * * of Captain Barr's statement, of 11th December, is read to him, and he has no further remarks to offer.

Explains to the committee that he had no reason to suppose that 2,000 rupees was an extravagant sum to pay for writing petitions on cases favourably decided ; for, although he himself has never been engaged in such matters, had always understood that large sums were paid, especially when large interests were involved, and favourable answers were obtained.

Mr. Craig's money matters and mine were quite separate. Some years ago I obtained a loan for him from my uncle ; it was repaid through me by monthly instalments, part to Viccajee Meerjee for him, partly direct to him (my uncle).

Until officially represented to Government, I had no reason to suspect 10,000 rupees had been given to Mr. Craig.

I conclude that writing a petition under such circumstances involves the writer's availing himself of his knowledge of office matters to put a petition together in a manner most likely to succeed with Government.

As my name is mentioned in the same paper with that of Mr. Cole, I beg to explain, that I have only a bowing acquaintance with him, and no transactions whatever. In 1837 we were in the Political Department together, and I saw him at Poona in 1839.

After Mr. Craig left my premises at Ketwaddy, and went to live at Oomercarry, I have seen a Portuguese whose name or person I do not know, leave his house with papers ; whether or no he copied papers for him, I cannot say. I know of no other persons who could have been engaged in copying papers for him. Mr. Craig could speak Hindoostanee in the ordinary way only, but had no knowledge of Guzerattee.

[Mr. Smith withdraws.

Raghoba Simpee being present, explains what was mentioned on Saturday, but not then apparently recorded, that—

On receipt of Mr. Craig's first note mentioning some one would come from Baroda to me, I went to his house, and asked him for information, and he explained he had sent an anonymous letter through his friend to Baba Nafra, and that when a man came from the latter, I was to bring that person to him (Craig). I knew not who the friend was, nor what was in the anonymous letter, nor in what language it was written.

Examiné.

I have written above that I used to go to Mr. Craig since 1848, but I have occasionally been with him since 1846, and went about ten times to him at Bandora. He had changed his residence some four or five times. I never went, however, on Government business to him previously to the occasion of my going about the business which originated in the anonymous letter from Craig to Baba Nafra; previously to this, I used to go merely to make my "salaam."

The 10,000 rupees came from Baroda, and were given to Craig about two or three months before he left Bombay; I say within three months, for about a month after giving it, Joteshwur went to Baroda, and about one and a quarter month after that Mr. Craig left Bombay.

[Adjourned till Wednesday at noon.

(signed) A. Malet.

The Committee meet on Wednesday at Noon.

Mr. Smith states he wishes to represent some further matters to the committee.

I have made inquiries as to the dates on which some of the circumstances mentioned by me on Monday took place, the committee having requested me to do so. As far as I can recollect, Mr. Craig came to live at my house at Ketwaddy about the beginning of 1844. Our families went together to Bandora about the end of 1845, and we resided there for about one month. Again, in 1846, we went in about October, and remained about a month.

In July 1847, I sublet my house at Ketwaddy, and Mr. Craig left, and then went to live at Omercarry.

As far as I can recollect, it must have been in 1846 and 47 that I saw the natives I have referred to at Bandora and Ketwaddy.

I give the above dates partly from recollection, and partly from what I learnt since Monday from a member of my family. I do not exactly recollect when Mr. Craig had the 2,000 rupees, but think it must have been in July 1847; I forgot to ask about this since Monday.

I also wish to explain that I am not aware of the circumstances which may have led to my being suspected of participating in Mr. Craig's doings in Baroda matters, but that Mr. Craig himself conducted himself with regard to me in a very scandalous manner, and it is probable that out of enmity to me he may have induced any natives at Bombay with whom he may possibly be in communication to give false information which would tend to criminate me.

Examiné by Committee.

When I sublet my house at Ketwaddy I went to live at Bandora, and resided there for more than one year and a half. Mr. Craig, who had been in the habit of visiting me at Bandora, and remaining there for short periods at a time, did not come to live there till, I think, but cannot exactly recollect, 1847, when he came for a few months.

When I sublet my house at Ketwaddy, I kept for myself the portion in which Mr. Craig used formerly to live, and went there occasionally on Sundays, &c.; but Mr. Craig never lived there from the period of my subletting the principal portion.

Occasionally I have been at Mr. Craig's house at Omercarry with my family, and remained for a night or so; but with such exceptions, we never, from the period of my subletting the Ketwaddy house, lived together in Bombay.

At Omercarry I have seen natives with Mr. Craig; I do not recollect if Raghoba was one of them. I do not know what natives they were, but I do not think any of them were people of the description who perform purvoo's work in Bombay.

[Adjourned till Saturday the instant, at Eleven o'clock.

(signed) A. Malet.

Friday, 16th January 1852.

The committee, having assembled, were of opinion that the attendance of Mr. Cole in the military accountant's office was required, and that gentleman attended at 3 p.m.

The order of Government for the assembling of this committee, and the purpose of this inquiry, were read to him, whereupon he expressed his purpose of giving every information in his possession on the subject, and read from a private journal kept at the time.

The portion of Raghoba's statement implicating Mr. Cole was now shown to him by the deputy secretary, and Mr. Cole read as follow:

"31st January 1850. Thursday, in the afternoon, Raghoba Moroba called, and I distinctly told him that I would not be party to a falsehood for any sum of money; about 7. 30 he came again, accompanied by the moonim's son of the Baroda house of Hurry Bhugtee & Co. I looked over two of his cases, and, under Mr. Howard's advice, told him of the claim against Mr. Williams' estate I had my hopes of realizing; but the other matters relating to political affairs I would not meddle with, except drawing out petitions and memorials for him; he then ordered in his servant and presented us, Mrs. Cole with a shawl and a diamond ring, and he gave me an emerald and a diamond ring; the whole present worth about 600 rupees. He was told most explicitly, in the presence of Mrs. Cole, that I received these presents only under the promise that I would assist in Mr. Williams' case, and merely draw memorials in the others; that if successful in Mr. Williams' case, I should keep him to his

offer of ten (10) per cent. on the amount recovered. I desired him to call again on Saturday. I went to Mr. Howard, and showed him the presents received."

7th February, Thursday 1850. A call from Raghoba Moroba and Bhow Sahib (the son of Baba Nafra), the moonim of the great firm of Hurree Bhugtee at Baroda; much desultory conversation relating to the commission on recoveries effected, and on a deposit for good faith, a note of hand or receipt of which was to be given, the money returnable in case of failure in the business transactions.

12th February, Tuesday. He called again at 8 p.m., and Mrs. Turner, an illegitimate daughter of Mr. Williams, told me she had a claim to a house at Baroda, and I mentioned this circumstance to him, and suggested that Hurree Bhugtee should send their vakeel forthwith to Bombay to prosecute their claims on behalf of this firm.

From this period up to June 1850, they called frequently, generally twice or thrice a week. They were introduced to Mr. Leggett and Mr. Howard. They, naming a man named Joteshwur, the Bhow Sahib, went away with the Gaekwar's retinue. Joteshwur, an old man whom I did not see till after the Gaekwar had left Bombay, and him I first saw about April 1850.

Monday, 8th April. To call on Harris and Leggett with Raghoba and Joteshwur Eshwaram from Baroda.

Tuesday, 9th. Went with Raghoba and Joteshwur to Mr. Leggett the attorney; paid him in advance 200 rupees.

Friday, 12th April. Called on the attorney, Harris and Leggett.

Wednesday, 17th April. Raghoba and Joteshwur, accompanied by another man, called regarding the seizure by the sheriff of a house belonging to the firm of Hurree Bhugtee in Bombay.

Thursday, 16th May 1850. Joteshwur called to take leave (on the previous day we had been with him to the sheriff's office), being about to proceed to Baroda to-morrow.

Friday, 5th July 1850. To see Mr. Leggett, the attorney, and to deliver to him the papers of Joteshwur Echaram and Bapoobhaee.

Sunday following, Raghoba and Bapoobhaee called.

Mr. Cole has several entries relative to interviews with Mr. Howard and Mr. Leggett, Raghoba and Bapoobhaee, which are not worth recording.

28th December 1850. Ramchunder, a Brahmin, representing himself to be a nephew of Baba Nafra, called at my house, and asked questions generally for drawing up petitions, &c. for the relief of his uncle Baba Nafra, which were drawn up by me, and corrected by Mr. Howard, and sent in to Government, as vakeel of Baba Nafra.

With reference to the portion of Mr. Cole's extracts, Mr. Cole explained that he would take no part in political matters, because they began to talk of interests which Mr. Howard and other gentlemen are supposed to have with Government influence in public affairs.

Joteshwur gave great trouble, being continually at Mr. Cole's house, taking him repeatedly with him to Mr. Leggett's, and that Mr. Cole never received any sum from him, but that he certainly complained that he had been deceived by Mr. Craig. Raghoba did not complain of this fact. Mr. Cole is not aware, of his own knowledge, in what matter Craig deceived him, and Raghoba never told him. Raghoba never introduced any other person to me on any similar subject. They never brought any English letters or papers with them; merely signed in books.

[Adjourned.

(signed) A. Malet.

Monday, 9th February 1852.

The Committee re-assemble; Mr. Acland's written opinion* is read, and considered; and the committee adjourned to prepare their report.

(signed) A. Malet.
P. M. Melvill.
H. E. Goldsmid.

(1.)

COPY of a Letter from Mr. J. Morris, Assistant Registrar of the Sudder Adawlut, to A. Malet, Esq., Chief Secretary to Government, Bombay.

Sir,

Sudder Adalut, 30/4/51.

KESHOW must have first mentioned the letter to me on the 3d or 4th March 1849, as on the same occasion he told me he had come to Bombay for the purpose of paying his respects to Mr. Reid, who was then on the eve of leaving India. The use of my name in such a transaction made me anxious to know more about it; and I asked him to let me have the letter, in view to detecting the writer, and punishing him if possible, and he promised he would, which promise he fulfilled in his note from Bansda, dated the 20th June 1849. On its receipt, it occurred to me to show it first to Mr. Rouget, but he failed to recognise the handwriting; but before I could show it to others in the Secretariate, as I intended, I missed it, and could not account for its disappearance, until it turned up in the pocket of an old waistcoat which had lain a long time disused. I then made it over to Mr. Showell, and again lost sight of it for a considerable time, in consequence chiefly of his having to give it to the magistrate in evidence of a robbery that had happened in his house. From him I learnt that he had shown it to Mr. Thomas, and that neither of them could detect the writing.

I said

* Which is annexed.

I said yesterday I thought it bore the signature of "J. Maurice;" but it turns out, as you stated, that it is subscribed J. R. Maurice. After sending it to me, Keshow once or twice asked for it back, and his father also asked me to return it during his visit to Bombay, in the suite of the Gaekwar; but, owing to one or other of the above accidents, I was unable to do so at the time.

On further consideration of your question of this morning, as to whether I ever wrote to the father or son on the subject of the letter, I can safely say that I never wrote to the father on any subject since I left the Revenue Commissioner's Office; but as regards the son, whose application or applications for the return of the letter were in writing, I cannot make so sure that I did not write in reply, to tell him that I could not then put my hand on it. My impression is, however, that I never did.

Trusting that this account will give you a clearer view of how I got the letter, and what I did with it, than perhaps I was able to convey in my interviews yesterday and this morning,

I remain, &c.
(signed) J. Morris.

(True copy.)

(signed) A. Malet, Chief Secretary.

(2.)

COPY of Letter from *Keshow Nursing* to J. Morris, Esq., Sudur Adawlut, Bombay, dated Bansda, 20 June 1849.

My dear Sir,

I beg to enclose herein the secret note, of which I spoke to you when I last met you in Bombay. My father is very anxious to find out its author. If you succeed in tracing him out, you will very highly oblige us by informing me of the same. When you are done with it, be pleased to return me the note. You will perceive that the envelop bears the post-office stamp; but on inquiry in the Bombay post-office, I learnt that its records could furnish us no clue to find out the rogue; for the names of the parties sending bearing* letters through * post are not registered, as we supposed. Pardon my not having written to you earlier on this subject as I had promised to do.

* S. O.

I have got another of the same description, but it is anonymous, and purports to come from an old school friend of mine; while the one I now send you purports to come from you, though in the signature your name is not properly spelt. If you like I can send you the other note also; but I must at the same time inform you that the handwriting of both the notes is not the same.

The object of the anonymous note was to alarm my father, while that of the other was to entrap him; and the mis-spelling of your name is certainly a clever trick, which I think must have been purposely done by the writer (partly) with the view of escaping punishment should he be detected.

Excuse the trouble I give you. I could not stop long in Bombay to make myself acquainted with your son, yet I wish you will present him with my best salams.

Hoping to hear from you soon,

I remain, &c.
(signed) Keshow Nursing.

P.S.—Please to address your answer as follows:—

Keshow Nursing,
Manager of Bansda,
to the care of Mr. Andrews,
Agent G. Surat.

(True copy.)

(signed) A. Malet, Chief Secretary.

(3.)

COPY of Letter from Mr. J. R. Maurice to Nursoo Luxmon.

Nursoo Luxmon,

THE Honourable Mr. Reid directs me to inform you that your petition dated the 18th September last, has been received by Government, and after carefully reading it, and taking into consideration your services for 30 years, Mr. Reid wrote a minute strongly recommending your case to the merciful consideration of Government; accordingly an order will be issued in a few days to Captain French, desiring him to tell you that as Colonel Outram is gone from Baroda, if you wish to continue as native agent, Government will have no objection to your withdrawing your application for pension. Captain French will also be informed that Baba Phurkey is not to be allowed to have anything to do with Government business.

Mr. Reid says, when he goes out of Council, he will recommend you to the protection of Mr. Willoughby, but that you should be very careful how you conduct yourself; you must not on any account allow your private feelings of enmity against Baba Nafra to interfere with the business of the firm of Hurree Bhugtee, at the Residency; that firm is an old firm; and, in consideration of the services which that firm rendered in former years to the Gaekwar Government, the Bombay Government treats them with respect; and though Colonel Outram strongly recommended that their bandree should be cancelled, still by the favour of Mr. Reid and Mr. Willoughby this has not been done; therefore you must not try from bad feelings to injure that firm.

3 January 1849.

Yours, &c.
(signed) *J. R. Maurice.*

P. S.—Keep the contents of this letter secret, and as soon as you receive it, write an answer to me, and thank Mr. Reid for his kindness to you; address me by post,

Mr. John R. Maurice,
at Mr. Reid's house, Bombay.

(True copy.)

(signed) A. Malet, Chief Secretary.

(4.)

To *A. Malet*, Esquire.

Sir,

1/5/51.

I HAVE succeeded in finding the cover of the letter to Nurso Luxmon, and beg to enclose it. The cover of Keshow's note to me, I can find nowhere, and I fear I must have destroyed it at the time I received it.

I remain &c.
(signed) *J. Morris.*

(True copy.)

(signed) A. Malet, Chief Secretary.

The cover referred to, is addressed as follows:

P. N. P.
Nursoo Luxumon,
Native Agent, Baroda.

(5.)

COPY of a Letter from Lieutenant-colonel *J. Outram* to *A. Malet*, Esq.

YOUR note dated yesterday, was only brought to me this morning.

I have not the original of the letter referred to; a copy only had been taken by a person at Baroda, to whom Nursoo Punt had shown it, as he did to several, with the view, I suppose, to discourage his enemies, and especially the author of the anonymous petition (received from Government at the same time by Captain French) from appearing against him, as indeed it effectually did.

Dreading as the people of Baroda do, Nursoo Punt's power and influence, the party who furnished the copy, would of course rather not come forward, but, if absolutely necessary, he is ready to substantiate the fact of having made the copy from the original, and that the original was shown to him, as well as to others, by Nursoo Punt.

(signed) *J. Outram.*

29 April 1851.

(True copy.)

(signed) A. Malet, Chief Secretary.

(6.)

MEMORANDUM.

Mr. R. D. CRAIG appears to have been for the first time employed in the Secretariate in the month of May 1832, being then a youth of about 17 years of age; his name is entered in the section bills of the Political Department for the months of May, June, and September of that year.

2. I have been unable to trace anything connected with Mr. Craig from September 1832 to the month of May 1836, further than that, during that period, he conducted a periodical, called, I believe, "The Bombay Gleaner." From what I can learn, he was not in the employment of Government during any portion of this period.

3. On the 19th May 1836, he was entertained as a clerk in the Mint-office, and continued in this appointment until the 12th February 1838, on which date he was admitted to the Political Department of the Secretariat as an examiner on the contingent establishment.

4. On the 13th October 1838 (being then on the contingent establishment) he was appointed by Mr. Willoughby, the Political Secretary to Government, Superintendent and Registrar of Sectioners.

5. On the 15th November 1838, he was entertained on the fixed establishment of the Political Department, on a monthly salary of 80 rupees.

6. On the 8th January 1840, Mr. Craig was transferred to the Secret Department, on the monthly salary of 100 rupees, and on the 5th January 1841, he was promoted to a vacancy of 125 rupees per mensem. He continued in this appointment until the 12th February 1849, when he proceeded to Calcutta on leave of absence on private affairs, for the period of three months (without pay); at the expiration of his leave, his name was struck off the strength of the establishment, in consequence of his not having returned, or applied for an extension of leave.

7. Mr. Craig's entire servitude in the Secretariat extended over a period of eleven years and three months. During the whole of this period, he was punctual in his attendance, and to all appearance extremely zealous in the discharge of his duties; he evinced a watchfulness over the conduct of the subordinates, by occasionally bringing to my notice acts of negligence or impropriety which they committed; added to this, he had the reputation of being pious, and until the discovery, towards the latter part of the year 1848, that he had seduced an unmarried sister of his wife, with whom he had carried on an incestuous intercourse for the period of about four years, his general character was considered unimpeachable; he was strict in the outward discharge of his religious duties, and previous to the above fact being ascertained, I had the highest opinion of his integrity; so much so, indeed, that during the whole period of his employment in the Political department of the Secretariat, he was selected by me in preference to other parties in the office to copy papers which it was important should be kept secret, and during the whole time I never once had reason to suspect that he had been guilty of the slightest betrayal of the confidence I had reposed in him.

8. I never heard of Mr. Craig having been employed by Mr. Reid in any capacity whatever, and I have reason to believe that he was not even personally known to that gentleman. I have lately made inquiries from several parties likely to be well informed on the subject, and have been told by them that they never heard of his having been at Mr. Reid's house, or of his having had any employment under, or the slightest intercourse with, that gentleman.

(signed) *R. Hughes Thomas.*

Bombay, 19 January 1852.

(7.)

COPY of a Demi-official LETTER from Mr. *W. Acland*, the Honourable Company's Solicitor, dated 5th February 1852, to *A. Malet*, Esquire, Chief Secretary to Government, Bombay.

My dear Mr. Malet,

I HAVE read these papers. The only direct evidence of the payment to Craig of the 10,000 rupees is that of Joteshwur, though there is some slight confirmatory evidence of the fact of payment; the only real evidence, also, of the object of the payment to him is Joteshwur's, who states the money to have been paid to Craig to bribe Mr. Reid, and it is to be inferred that Craig absconded with the money.

The inference from his absconding with the money would be, that he did not conspire to bribe Mr. Reid, but merely proposed to himself the fraud of appropriating the money; in fact, that he obtained it on a false pretence, which is a misdemeanor. Joteshwur, however, on his own statement, conspired with the Baroda people to bribe Mr. Reid, and if other sufficient evidence than his own statement were forthcoming against him, would, I should think, be considered to have committed an indictable offence. It would, I think, be a misdemeanor to conspire to bribe a councillor. There is a case in 1769, in which it was held indictable to offer a bribe to a Privy Councillor. Also, as it would have been criminal in Mr. Reid to receive the money even as a present, under 33 Geo. 3, c. 52, s. 62, and as a conspiracy is defined to be "a crime which consists either in a combination and agreement to do some illegal act, or a combination and agreement to effect a legal purpose by illegal means," a combination to effect Mr. Reid's illegally receiving the money (even as a present) would, I should think, be considered conspiracy. If, however, Joteshwur were charged with this crime, Craig would be the chief evidence against him.

The warrant of a Bombay police magistrate would not reach Craig at Calcutta, nor am I aware of any means by which he could be legally arrested, and brought to Bombay as a prisoner; the statute of 6 & 7 Vict., c. 34, s. 2, which enables the Chief Justice of a place to back a warrant from another part of Her Majesty's dominion extending only to treason and felony (s. 10).

* S. O.

The only practical course which occurs to me (though it is open to some objection would be to open communication with Craig through the Bengal authorities, with a view to Craig's evidence being taken (as Queen's evidence) to charge Joteshwur and the others of conspiracy to bribe. Craig's offence seems to be obtaining the money by a false pretence; but the state offence, to which the Government would look, is the attempt to bribe. I do not *collect the precise position of Joteshwur to be able to judge whether any community has been offered to bribe, or if anything has occurred to prevent his being proceeded against, nor do I know whether it would be considered generally expedient to adopt that course. The delay which has occurred might create difficulty, unless explained.

5 February 1852.

I am, &c.
(signed) W. Acland.

I have not had an opportunity of speaking to Le Messurier about the case, but I can do so if you wish it.

(8.)

No. 592 of 1852.—Political Department.

MEMORANDUM by the Chief Secretary to Government.

THE superintendent of police is requested to ascertain whether an individual named Joteshwur Echaram is at present in Bombay. This person is a Brahmin, of the Naggur caste, and is about 37 years of age. He was at Baroda in the month of August last, and is a goomashta of the banking firm of Hurree Bhugtee, of that city.

7 February 1852.

(signed) A. Malet,
Chief Secretary.

(9.)

No. 41 of 1852.

From the Superintendent of Police, Bombay, to A. Malet, Chief Secretary to Government.

Sir,

With reference to your memorandum, No. 592, of the 7th February, I have the honour to inform you that the individual you inquire after, Joteshwur Esharam, goomashta of the firm of Hurree Bhugtee, of Baroda, has not been in Bombay for the last 10 or 11 months. At that time he lived in No. 371, Shaik Manron Street, in the house of Jootah Hurkur. His brother-in-law, named Creaparam, is at present in the employ of Mootee Ragoonath, who resides near Moombadavee. Joteshwar Esharam had not his family with him when in Bombay.

I have, &c.
(signed) E. Baines, Captain,
Superintendent of Police.

Bombay, 13 February 1852.

— No. 3. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. Bell.

IN this report the conduct of three individuals is brought very prominently forward. These individuals are, Ragoba, a clerk in the Military Pay office; Mr. Smith, second assistant in the office of the Chief Secretary; Mr. Cole, an assistant in the office of the Military Accountant.

2. Ragoba has had a pledge from Government that he would be pardoned, provided he confessed all he knew; and although I am inclined to believe, with the committee, that he has withheld information that he could have furnished, we have no means of proving this, and I regret to say that I think that, taking into consideration the third paragraph of the Committee's Report, our pledge must be respected; Captain Bar being instructed to exercise in future the closest superintendence over this individual, who cannot be deemed trustworthy, and to warn him that the slightest irregularity on his part will be visited by the most severe punishment.

3. Mr. Smith's confession that he was aware that large sums were at one time paid for petitions written by persons in the office in which he serves, and that he connived at such a practice, is most discreditable to him; but bad as I think his conduct has been, his offence is one that, considering all the circumstances, I would leave the Chief Secretary to deal with. If the Chief Secretary feels that,

after

after what has occurred, he can retain Mr. Smith in his office, for the efficient working and control of which Mr. Malet alone, and not the Government, ought to be responsible, and to the unsatisfactory state of which our attention has of late been so frequently drawn, I do not think Government should interfere. If, on the contrary, the Chief Secretary deem that Mr. Smith should be dismissed, it is for him to recommend Mr. Smith's dismissal to Government.

4. Mr. Cole should be desired at once either to resign his situation of assistant in the Military Accountant's office, or that of confidential clerk to Mr. Howard, the displeasure of Government at his having ever held the latter appointment simultaneously with the former being intimated to him.

5. It is extremely painful to me to be obliged to comment, in terms of censure, on the conduct of an officer holding so responsible a situation as Captain H. Bar, but he has shown throughout the course of this investigation such a want of energy, decision, and even of common accuracy of statement (*vide* paragraph 14 of the Committee's Report), as to impress me most unfavourably in regard alike to his capacity or zeal in the service of Government; and should my colleagues concur with me in opinion, our sentiments should be officially communicated to him.

6. I do not apprehend that we can take any steps to compel the production of the books and vouchers of the firm of Hurree Bhugtee, by Baba Nafra, beyond the intimation we directed to be made to his Highness the Gaekwar on this subject in our Chief Secretary's letter, dated the 27th February last.

(signed) *Falkland.*
A. Bell.

17 March 1852.

— No. 4. —

MINUTE by the Honourable Mr. *Warden.*

1. THE Right Honourable the President, and my honourable colleagues, Mr. Blane and Mr. Bell, have an advantage that I do not possess in having taken part in all the deliberations connected with Baroda and its intrigues.

2. I have, however, read the Report of the Committee, and subscribe to the opinion of the President, that Ragoba has not told all that he knew; but as the Government acted on his evidence, and we have no means of determining whether he did or did not withhold anything, and as the terms offered to him were, I believe, exemption from all punishment, provided he stated everything he knew, I apprehend that he must be considered entitled to the benefit of a full confession; and, at all events, it would be better to give him more than he is entitled to, than, under any misapprehension that ignorance of the real merits of the case might give birth to, be supposed to have broken faith with him. A strict watch should, however, I think, be kept on him, by his official superior, in all time to come.

3. The Secretaries to Government having laid all the circumstances of the case of Mr. Craig, Mr. Cole, and Mr. Smith before the Board, have thereby, I consider, relieved themselves of further responsibility as regards those persons, and that the Government should now deal with them.

4. As regards the first, it will probably be sufficient to warn the Governments of Madras and Bengal against employing him, as even if he were here, I doubt whether he could be punished, under the evidence forthcoming, in any court of law.

5. As regards Mr. Cole, I concur with the President.

6. In respect to Mr. Smith, my opinion is most unfavourable. In failing to report to the Chief Secretary conduct, on the part of his brother-in-law, which no one could but consider most improper in a public officer, he saved his relation, at the expense of his own faithfulness to his employers. Dismissal would probably ruin him, but he should at least, as it appears to me, be required to leave the Secretariat, being permitted to exchange with any person in the public service, who may be selected by the Chief Secretary from some other department to take his place.

7. Captain Bar certainly exhibits want of dexterity and of accuracy, but I hope he was zealously affected towards the Government; indeed, he would, it may be presumed, have refused to undertake his difficult and delicate task, had he been apathetic as regarded the interests of the Government, but he should not have dropped the inquiry just as his request, in respect to Mr. Cole, had been acceded to. On the whole, however, I should be glad to see the terms of the censure proposed for him softened.

8. The Chief Secretary informs me that Mr. Smith is no longer entrusted with any business of a secret nature, and any little further delay, therefore, in arranging this matter, will not probably be productive of injury to the public service. If this be so, it might be well not to decide on this case till the return of Mr. Blane, who appears to be conversant with it.

21 March 1852. (signed) *J. Warden.*

— No. 5. —

FURTHER MINUTE by the Right Honourable the Governor, concurred in by the Board.

1. I DEFER to the suggestion of my honourable colleague, Mr. Warden, that we should take no further action in this matter till the return of Mr. Blane.

2. I would not, however, be understood as concurring with my honourable colleague as to the expediency of such procrastination. In all other respects I adhere to my minute of the 17th instant, concurred in by the honourable Mr. Bell.

3. I learn from the Chief Secretary that he has already intimated to Mr. Smith that he must seek employment in some other office.

4. Having yielded to Mr. Warden's suggestion with regard to awaiting the return of the honourable Mr. Blane before we finally dispose of this case, I have deemed it right to instruct the Chief Secretary to send the whole of our proceedings in the matter (minutes, &c., &c.) to the Honourable Court by the mail of the third proximo.

5. I conceive this course to be due to the character of Government, and imperatively called for by the manner in which the name of a former very distinguished and honourable colleague of mine, Mr. Reid, has been alluded to by Lieutenant-colonel Outram in several of the reports which that officer has handed up to Government.

(signed) *Falkland.*
A. Bell.
J. Warden.

29 March 1852.

(True extract.)

(signed) *H. E. Goldsmid,*
Secretary to Government.

32.

Collection No. 3, of No. 37, Bombay Political Department,
Letter from, dated 3 April 1852.

BARODA INTRIGUES.

On the subject of certain Intrigues in connexion with Affairs at Baroda, alleged to have been carried on in Bombay, during the Year 1848 and the early part of 1849, through the medium of Agents employed by Baba Nafra, Manager of the Banking Firm of Hurree Bugtee of Baroda.

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Bombay Castle, } 3 April 1852. }			(signed)	<i>H. E. Goldsmid,</i> Secretary to Government.		

— No. 1. —

Extract Bombay Secret Consultation.

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. Bell.

I HAVE purposely kept this paper until I could take up the accompanying report of the committee of which Mr. Malet was president. The explanation which this memo.* affords of the several causes of complaint that Colonel Outram has urged against the Chief Secretary's Office is generally very satisfactory; we are still, however, compelled, even after the recent investigation, conducted by a committee, to admit as explanations what are in reality mere suppositions, though apparently well founded.

The presence of Craig is, I fear, unattainable; and even were he here, his evidence could not in any degree be relied on, unless corroborated in the strongest and most direct manner.

17 March 1852.

(signed) *Falkland.*
A. Bell.

* Meaning the memo. by the Chief Secretary, dated the 22d January 1852; copy of which formed Enclosure No. 2 to Collection No. 3, accompanying political despatch, dated the 17th February, No. 19 of 1852.

— No. 2. —

MINUTE by the Honourable Mr. *Warden*.

As this paper was unintelligible to me without Colonel Outram's letter, and its long Appendix, I was obliged to detain it.

The delay in the Persian Secretary's department is very much to be regretted, as creating suspicions in Colonel Outram's mind which had no foundation; and for the rest, those who have seen much of Indian chicanery and artfulness will still doubt whether the ascribing the anonymous letters, and that signed "Maurrice," to Craig, can be estimated higher than conjecture.

1 April 1852. (signed) *John Warden*.

(Seen.)

(signed) *A. Bell*.

(True copies.)

(signed) *H. E. Goldsmid*,
Secretary to Government.

33.

KHUTPUT REPORT, by Lieutenant-colonel Outram, late Resident at Baroda.

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Bombay Castle, }
29 Nov. 1851. }

(signed) *A. Malet*,
Chief Secretary to Government.

(True copy.)

H. E. Goldsmid, Secretary to Government.

— No. 1. —

Extract Bombay Political Consultation ; No. 100 A., of 1851.

From Lieutenant-colonel *J. Outram*, c. B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to transmit to you a report on the circumstances which have tended to confirm the popular belief in the efficacy of "khutput made in Bombay." Political Department.

2. An invitation to draw up such a report was communicated to me by a circular letter under Mr. Secretary Goldsmid's hand, dated 15th of May 1850, and the only reason why I did not earlier comply with that invitation was, my desire to watch the course and issue of occurrences that have, since the date of Mr. Goldsmid's letter, been powerfully tending to confirm the belief in khutput.*

3. So

* The following extracts will show, that though I have delayed sending in this report, I made Government aware that it was under preparation.

In reply to an application on the subject from Mr. Secretary Goldsmid on the 14th April last, I thus wrote :—

1. "I have† honour to inform you that I have nearly completed the draft of my report on khutput, and that no time shall be lost after its completion in placing it in the copyist's hands.

† *S. O.*

2. "I feel that the Right Honourable the Governor in Council will pardon the delay that has occurred in transmitting my khutput report, when I call his attention to the fact, that since the receipt of your circular letter, I have been engaged in a series of most intricate and harassing investigations, the difficulties of which have been intensely aggravated by the belief, here universal, in the efficacy of khutput made in Bombay.

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3. "The

3. So grievously were they operating in this direction, that on the 10th of April last, I deemed it my duty to transmit to Government, in the form of a "statement of facts," an embodiment of the section of my khutput report which related to the case of Nursoo Punt.

4. Under misapprehension of the intentions of Government, I was induced to recall and modify that statement; but in consequence of the circumstances which have taken place since the curtailed statement was presented, I have deemed it my duty to retain in the report now sent the section on Nursoo Punt as it originally stood, or nearly as it originally stood.

5. I have added slightly to it, and I have removed certain expressions which I was led to believe had given offence to the Right honourable the Governor in Council. I have also carried out the narrative of the proceedings that have taken place relative to Nursoo Punt up to the present date; and I have deemed it my duty to record the substance of a protest which I drew up prior to Mr. Frere's arrival in Baroda, in reference to the trial of Nursoo Punt having been ordered to proceed under circumstances which, as I warned Government at the time, were calculated not to promote, but to frustrate, the elicitation of truth.

6. That protest will be found embodied in the 5th section of the 2d part of my report, and though I have grounds for hoping that, owing to fortuitous circumstances, my gloomy anticipations have not been realized, I feel assured that the grounds on which I based my anticipations were strong, and I am desirous they should be placed on record.

7. In presenting this report, I beg most solemnly and most sincerely to state, that I am innocent of all intentional disrespect to Government; but matters have reached a point at which I should signally fail in my duty, did I not do my utmost to state in a clear and explicit manner the peculiar and the almost overwhelming difficulties under which I am placed.

8. I, the British representative at Baroda, am regarded by the Durbar, and the subjects of the Prince at whose court I reside, as one whom it is not only safe, but sound policy to thwart and intrigue against. I am regarded as an officer in disgrace with my Government, as opposed by it, and as undergoing at all hands a course of humiliation, which, if not designed to drive me to the resignation of my appointment, is intended to lead me into such insubordinate conduct, or intemperate language, as shall insure its forfeiture; and the results of such opinions may be easily guessed.

9. The Gaekwar personally is an amiable but weak man. He would himself willingly exert his powers in support of my authority, and in promotion of the objects I have in view; but he is in the hands of as unprincipled a minister as ever proved the bane of an Indian Prince.

10. To the evil influence over him of this individual, does the Gaekwar owe such unpopularity as attaches to his Raj; and I regret to say that much dissatisfaction exists amongst the people.

11. To myself, the minister has been a source of embarrassment ever since I came

3. "The reports I have recently had occasion to transmit, illustrating the fact, that not only the servants, but the members, of Government are, by the natives of Baroda, considered to be accessible to corrupt considerations, will, I trust, be deemed conclusive evidence that I have been neither idle nor indifferent to the subject to which my attention was called in your circular letter of May last. His Lordship will see from these reports, that since my return from Egypt, my time and best energies have been directed to a struggle with, and an exposure of, the baneful consequences of the prevalent belief in khutput; and that I have earnestly recommended certain measures as not only in themselves just, but indispensably necessary for the eradication of that dishonouring belief; but I should fail in my duty did I not explicitly state my opinion, formed neither hastily nor on insufficient data, to the effect, that the belief in the efficacy of khutput made in Bombay, will not be easily or speedily eradicated; it is too widely spread, too deeply rooted, and, in native estimation, too well supported by circumstantial evidence to be readily relinquished." And in many of my reports to Government, I have referred to my report on khutput as under preparation.

Additional delays have been caused, as explained in my 6th section, by recent revelations of treachery in the Bombay Secretariat, calculated to add seriously to my difficulties, which I had contemplated making the subject of an additional section.

came in contact with him. In my various investigations, his influence has been exerted for the suppression of truth; and as an illustration of what I say, I would refer to the proceedings of the two Puchayets appointed by his Highness the Gaekwar for adjudicating in the case of Joitabae Settanee. The disgraceful proceedings of these two bodies, I need not say, could only have been perpetrated with the minister's connivance.

12. In all my investigations he has more or less laboured to thwart me; and latterly, his efforts in this direction have been incessant; for the cunning Nursoo has led him to believe that their interests are identified; that if the (Nursoo) were acquitted by the commissioner, very little intrigue will be required to effect my removal from office, and that unless I am removed, the minister's exposure and disgrace are inevitable.

13. But though the minister's efforts to thwart me on this commission have been constant, they have been disguised under a pretended cordiality, and frequently under the affectation of great zeal. Let me give a single illustration: on one occasion during his trial, Nursoo Punt expressed his intention of calling certain witnesses to depose that a particular paper was not in his handwriting. Not only had I it in my power to invalidate the credibility of those witnesses, but I could have extorted admissions from them in court which would have materially damaged Nursoo's cause. This was known to the accused, and to his friend the minister, and the latter accordingly called on my native agent the night before the day fixed for the appearance of the witnesses, and made great professions of his own and the Gaekwar's anxiety that the truth should be elicited; and next morning, Nursoo Punt communicated to the commission, that as the minister had had a private interview with my native agent, he declined calling his exculpatory witnesses, implying that the minister was his enemy, and that his interview with the native agent had for its object the corruption or intimidation of his witnesses.

14. Had I been on those terms with my own superiors to which in former days I had the honour to be admitted, as well by the local as the supreme Governments, I should, at a very early date of my intercourse with the minister, have pointed out to his Highness the necessity, for the honour of his own Raj, of selecting another adviser; in doing this, I should have done no more than any other Resident in India, in a similar position, would have deemed himself justified in doing. I should have been rendering an essential service to the Guicowar, and I should have diminished that intrigue and corruption which tends so much to compromise the character of the British Government in the eyes of the natives.

15. But I felt keenly that I was not admitted to that confidence and kindly consideration on the part of Government which it was once my honour to enjoy. I feared that my conduct might be censured, and that my recommendation might be unsupported; and in such a case I was well aware that intrigues would multiply, and attempts be made to involve me in a dispute with the Durbar, with a view to lead to my removal from a post where I am a source of inconvenience and alarm to the traders in corruption.

16. I have therefore been constrained to meet the minister in his own fashion; to assume his own cordial demeanor; to express satisfaction for such trifling aid as from time to time, for appearance sake, he has rendered me; and to appear ignorant of his secret opposition.

17. This is a position from which I conceive that I have a right to be allowed to relieve myself by the exercise of that authority which few other Residents would hesitate to exert; but should Government not concur with me in this view of the case, I shall respectfully submit to their decision; for I feel that it is my duty to remain at my post, one of difficulty as well as of danger as it is. I repeat of danger, for not only is the climate one that disagrees with me, but it is the opinion of my medical advisers, that on more than one occasion has my life been tampered with, at the instigation of those corruptionists I was endeavouring to expose.

18. I did indeed at one time contemplate withdrawing myself from Baroda. I was then in Egypt, whither intelligence, by no means precise, reached me that

Government had invited Nursoo Punt to remain in office, and that my charge of fraud against the Hurry Bhugtee Bank had been disregarded. I knew what would be the consequences; I foresaw an arduous and painful struggle, though I by no means contemplated the occurrences that have actually taken place. Prostrated in body, and weakened in mind by sickness, I shrunk from the difficulties I saw before me; I applied to the Governor-general for employment in Central India, and I intimated to two friends holding very distinguished positions in India, and personally acquainted with his Lordship, that, in consequence of my anxiety to be removed from the control of the Bombay to that of the Supreme Government, I would willingly accept any office under the latter on half the salary I enjoyed under the former.

19. I thus wrote to the private Secretary, "In making this application, I venture to believe that the nature of my past services, which have frequently been acknowledged by the State, warrants me in thus seeking to renew the same direct communication with the Supreme Government that I formerly was honoured with when Resident at the Courts of Scinde and Baloochistan, until the abolition of that office in November 1842, when the British army withdrew from the last-named country, but which, in my present capacity as Resident at Baroda, I am precluded from maintaining. I do not presume to enter into details of my reasons for desiring a change from the appointment I now hold; it may be sufficient to express my belief that at Nagpoor, or in any other equivalent position, my humble services can be rendered more available to the Government of India than they are likely to be at the court of his Highness the Guicowar."

20. Lord Dalhousie could not comply with my request, and I was afterwards ashamed of having made it. It was the first time in my life that I had ever attempted to evade a duty, and I felt that it was my duty to return to Baroda; and whatever the difficulties with which I might have to contend, whatever the humiliation to which I might be subjected, to labour for the vindication of great principles.

21. This feeling every day serves to intensify. I know that, humble as are my abilities, I do possess qualities, the possession of which by the Baroda Resident is indispensable at the present moment. I know that my departure would be the signal for vast intrigues and great oppressions; and therefore, as I have stated, I shall remain at my post even should Government not see fit to relieve me from the difficulties I have alluded to, as caused by the procedure of the Gaekwar minister.

22. Should Government repose sufficient confidence in political qualifications which have been extensively employed and favourably noticed by my honourable masters, and in an honesty which has never been questioned, as to rely on my assurance, that I have every reason to believe the truth of the information communicated to me, I would transmit a memorandum exhibiting the hostile proceedings indulged in by the minister. But I will not undertake to prove one word of my allegations while he remains in power. As is known to all who have had experience of native courts, much information which is trustworthy is unsusceptible of proof; even where the British representative is apparently favoured and supported by his Government, it is utterly impossible for him to adduce proofs of facts regarding which he can have no doubt; and, with the views current at Baroda as to my position with reference to the Bombay Government, I could hardly hope to get a single individual to depose to facts which, though topics of conversation in the city, would, if stated at the Residency, bring down on my informants instant persecution. Intimidation and gold would prove too strong for me; nor would I deem myself at liberty to give the names of such informants as I had.

That my embarrassments with the Durbar are not of my seeking, nor of my own making, will, I think, be pretty evident to all who carefully read the accompanying report. To what they are attributable, I leave my narrative to indicate.

I have, &c.

(signed) J. Outram,
Resident.

Baroda Residency, 31 October 1851.

12 November 1851.

Postscript.—This letter was prepared on the date assigned to it, but the completion of fair copies of the appendices delayed its transmission until to-day.

Its accompaniments are forwarded in separate packets, numbered as follows :—

No. 1, containing this letter, with Appendices (A.), (B.) and (C.)

No. 2, Part I. of Khutput Report.

No. 3, Part II. of ditto.

No. 4, Part II. of ditto.

(signed) *J. Outram*, Resident.

— No. 2. —

MINUTE by the Right honourable the Governor.

1. ON the 15th May 1850, Lieutenant-colonel Outram was requested by this Government to state his opinion whether a belief in the efficacy of intrigues carried on at the Presidency to contravene, by corrupt influences, the recommendations of local officers up the country, existed amongst the natives, and also as to the mode in which such a belief, if it existed, would be most readily eradicated; in reply to this call for information, Colonel Outram has forwarded to us a voluminous paper, intituled, "Khutput Report," to which due attention will be given when we dispose of the several communications we have received from others of our officers on the same subject. The letter which accompanied the above report is, however, so extraordinary in its style and tenor as to call for immediate and serious notice. From this letter Lieutenant-colonel Outram would seem to have formed a very incorrect idea of his position at Baroda, as the representative of the Bombay Government, as well as of the relations in which the Government he represents stands with regard to the independent sovereign and friendly neighbour at whose court he is the Resident; for one at least of the principal objects of his present letter would appear to be to induce the Government of Bombay to insist on the suspension or absolute removal from office of the chief minister of his Highness the Gaekwar, solely, in as far as we are at present advised, because he, Colonel Outram, entertains a bad opinion of that individual, no specific charge even assumed to be capable of proof being preferred against him. So arbitrary a measure towards any Prince in the situation of the Gaekwar could only be justified in a case of absolute necessity, under circumstances of peculiar emergency or extreme danger to the State; when directed against a compliant and unoffending ally, it could but be regarded as a most wanton and tyrannical act of aggression. I cannot but think, therefore, that in advocating such a course of policy, Colonel Outram has shown that he takes such an erroneous view of his own position, and of the duties it involves, as could hardly have been expected from the youngest political officer in the service.

2. It was not intended by our circular of the 15th May 1850 to enjoin our functionaries to devote their time to searching out cases on which corrupt influences had anywhere, or at any time, been brought to bear, or to attempt to discover that which, from its very nature, must be all but impossible to trace; but it is quite clear that Colonel Outram has misinterpreted the letter on which his elaborate report is founded, and has entered on very laborious and difficult researches, with the expectation of destroying among the people of this country the practice of seeking to compass their ends by indirect means, or corrupt influences. Opinions may vary as to the possibility of attaining such a result, or as to the efficacy of the measures employed with that view; the object was nevertheless a good one; and however I might have differed from Colonel Outram as to the expediency or propriety of the means he would use to gain it, I should not have blamed the honest ardour with which it was pursued. Had the Resident stopped here, I should have deemed it sufficient to have cautioned him that the course he was following was calculated to embroil us with the Gaekwar, and that all that it was practicable to effect towards destroying the impression said to prevail with regard to the efficacy of khutput, would be best effected by the exercise of extreme vigilance in the offices of all our public departments.

3. But Colonel Outram has gone far beyond this; it is not, indeed, easy to follow him through the somewhat desultory and incoherent medley of facts and arguments of which his letter consists; but his main intent and purpose apparently is to show that his endeavours to trace out and expose the system of corruption which he assumes to have existed for a series of years at Baroda, have been opposed and thwarted by the Bombay Government; that he has thus become a mark for calumny and reproach, and has incurred the danger of assassination at the hands of those whose evil deeds he has endeavoured to bring to light; that, nevertheless, he remains at his post, because he regards it as an imperative duty to continue to contend for the great principles he has striven to maintain, and he calls on the Government to act with him, to cause the Gaekwar to dismiss his minister, to punish the parties he deems corrupt as traders in corruption, and thus vindicate and assert the purity of the British character in the manner he, Colonel Outram, deems just and right. He likewise assumes that he has lost the confidence of his official superiors, and bitterly complains of the position in which he is consequently placed. Had we earlier become aware that Colonel Outram's feelings were such as he now describes them to be, that he had ceased to regard the Government he represents with respect, to sympathize with its purposes, to desire the accomplishment of its wishes, and to struggle to effect its ends (and this all apparently because we have declined as a Government blindly to follow the Resident's lead, to take for granted what he has not proved, and to denounce as guilty those against whom suspicion only could be said to be established), that, instead of looking upon himself as bound, while the representative of the British Government at Baroda, to act only as directed by that Government, and to carry out scrupulously those views, and those only which might be indicated for his guidance, he deemed himself, as appears from para. 17 of his letter, to be endowed with some independent authority which he may exercise or not at his own pleasure, I certainly should have been sooner convinced that the mutual confidence that ought to subsist between the Government and the Resident was, as it unfortunately now too plainly appears that it is, wanting, and that that officer was no longer qualified to discharge satisfactorily the functions of his important office.

4. Without entering into the question of how, where, in what direction, and to what extent corruption may have been practised at Baroda, and between Baroda and Bombay, I consider that while labouring under such impressions as those by which Colonel Outram is, by his own showing, influenced, he cannot possess the tact, calmness of mind, and discretion indispensable to the maintenance, on a satisfactory footing, of our political relations with the Baroda Durbar; that much embarrassment will ensue if he be permitted to remain there; and I would therefore inform him that the letter under review, taken in connexion with previous correspondence, has convinced us that it will not be for the advantage of the interests of Government that he should continue to represent them at Baroda; that we leave it to him to withdraw from the appointment he fills in the manner least offensive to his own feelings, and least calculated to embarrass or injure our amicable relations with his Highness the Gaekwar; further, that we will await his reply, which we request may be sent at his earliest convenience, before taking any other alternative into our consideration.

22 November 1851.

(signed) *Falkland.*

— No. 3. —

MINUTE by the Honourable Mr. *Blane*.

I FULLY concur in the Right honourable President's remarks, and in the course proposed to be adopted.

2. It is impossible that Colonel Outram, in his right mind, would persist in addressing Government in the very unbecoming terms he has lately indulged in, and even vaunt the re-insertion of offensive passages which he had been permitted to erase from a former letter, declaring, moreover, his resolution to adhere to his own course of proceeding, though believing it to be entirely opposed to the wishes of Government, or if he would do so, that Government can, consistently, with what it owes to itself, permit him to retain his appointment.

3. The

3. The extent to which his proceedings are likely to involve Government in difficulty is prominently disclosed in the proposal in the present letter to remove the Baroda minister, not in consequence of any misunderstanding between the Durbar and the Bombay Government, but merely, as he persuades himself, in pursuit of the quixotic design he has conceived of eradicating what he imagines to be the popular belief of the efficacy of indirect influence through the corruptibility of Government officials, though in reality, it is to be feared, under the instigation of Baba Furkey, and other wily intriguers, who are seeking to turn his monomania to advantage in the attainment of their own ends.

4. Unless, therefore, he avail himself of the opportunity offered him of resigning, I see no alternative but his recall.

(signed) *D. A. Blane.*

22 November 1851.

— No. 4. —

MINUTE by the Honourable Mr. *Bell.*

I FULLY CONCUR.

(signed) *A. Bell.*

22 November 1851.

— No. 5. —

MINUTE by the Right honourable the Governor, concurred in by the Honourable Messrs. *Blane* and *Bell.*

My minute of yesterday may now be acted on.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

23 November 1851.

— No. 6. —

No. 5,083 of 1851.—Political Department.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay,
to Lieutenant-colonel *J. Outram*, c.b., Resident, Baroda.

Sir,

1. I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 100 A., dated the 31st ultimo, and to convey to you the following observations and instructions.

2. On the 15th May 1850 you were requested to state your opinion whether there existed among the natives a belief in the efficacy of intrigue carried on at the Presidency to contravene by corrupt influences the recommendations of officers in the Mofussil, and to offer your opinion as to the mode in which such belief, if it existed, would be most readily eradicated. You have now forwarded a voluminous paper, intituled, "Khutput Report," to which due attention will be given in common with the rest of the communications received from the other officers of Government on the same subject; but I am instructed to inform you, that the style and tenor of your letter transmitting the above report are so extraordinary as to call for the immediate and serious notice of Government.

3. The Governor in Council regrets to observe, that you appear, from this letter, to have formed a very incorrect idea of your position at Baroda as the representative there of the Bombay Government, as also of the relations in which Government stand towards the independent Sovereign and friendly neighbour to whom you are accredited; for it appears to the Right honourable the Governor in Council that one at least of the principal objects of your present letter is to

induce Government to require the suspension, or absolute removal, from office of that Prince's chief minister, solely because you have, in as far as Government is at present advised, formed a bad opinion of that individual, against whom, however, you have brought no definite or specific charge. I am to remark that the recommendation of so arbitrary a measure towards any Prince in the situation of the Gaekwar could only be justified by absolute necessity, under circumstances of peculiar emergency, or extreme danger to the State; and that to accede to it, when none of these causes exist, could only be regarded as a most wanton and tyrannical act of aggression against a compliant and unoffending ally.

4. It was not intended by the Government circular of the 15th May 1850, to enjoin those functionaries to whom it was addressed to devote their time to searching out cases on which corrupt influences had any where, or at any time, been brought to bear, or to attempt to discover that which, from its very nature, must be all but impossible to trace; but it is quite clear that you have misinterpreted the letter on which your elaborate report is founded, and have entered on very laborious and difficult remarks, with the expectation of destroying amongst the people of this country the practice of seeking to compass their ends by indirect means, or corrupt influences. Had you stopped here, the Governor in Council would have deemed it sufficient to have cautioned you that the course you were following was calculated to embroil Government with the Gaekwar, and that all that it was practicable to effect towards destroying the impression said to prevail with regard to the efficacy of *khutput*, would be best effected by the exercise of extreme vigilance in the offices of all the public departments.

5. You have, however, gone far beyond this: it is not, indeed, easy to follow you through all the facts and arguments contained in your letter; but your main intent and purpose apparently are to show that your endeavours to trace out and expose the system of corruption which you assume to have existed for a series of years at Baroda, have been opposed and thwarted by the Bombay Government; that you have thus become a mark for calumny and reproach, and have incurred the danger of assassination at the hands of those whose evil deeds you have endeavoured to bring to light; that, nevertheless, you remain at your post, because you regard it as an imperative duty to continue to contend for the great principles you have striven to maintain, and to call on this Government to act with you to cause the Gaekwar to dismiss his minister, to punish the parties you deem corrupt as traders in corruption, and thus vindicate and assert the purity of the British character in the manner you deem just and right. You likewise assume that you have lost the confidence of your official superiors, and bitterly complain of the position in which you are consequently placed.

6. Had his Lordship in Council earlier become aware that your feelings were such as you now describe them to be; that you had ceased to regard the Government you represent with respect; that, instead of looking on yourself as bound, while the representative of the British Government at Baroda, to act only as directed by that Government, and to carry out scrupulously those views, and those only which might be indicated for your guidance; that you deemed yourself, as is inferred from para. 17 of your letter, to be endowed with some independent authority to be exercised or not at your own pleasure, his Lordship in Council would sooner have been convinced that the mutual confidence which ought to subsist between the Government and the Resident was wanting, and that you were therefore no longer qualified to discharge satisfactorily the functions of your important office.

7. Without in this place entering into the question of how, where, in what direction, and to what extent corruption may have been practised at Baroda, and between Baroda and Bombay, the Governor in Council considers that, while labouring under such impressions as those by which you are by your own showing at present influenced, you cannot possess the tact, calmness of mind, and discretion, indispensable to the maintenance, on a satisfactory footing, of the political relations of this Government with the Baroda Durbar, and that much embarrassment will ensue if you be permitted to remain there. I am therefore instructed to inform you, that your letter under review, taken in connexion with previous correspondence, has convinced the Right honourable the Governor in Council that it will not be for the advantage of the interests of Government that you should continue to represent them at Baroda, and that it is therefore left to you

you to withdraw from the appointment you now fill in the manner least offensive to your own feelings, and least calculated to embarrass Government, or affect their amicable relations with his Highness the Gaekwar.

8. I am desired to request that you will communicate your wishes in this respect at your earliest convenience.

I have, &c.

(signed) *A. Malet,*

Bombay Castle, 27 November 1851.

Chief Secretary.

(True extract.)

(signed) *A. Malet,*

Chief Secretary to Government.

(True copy.)

(signed) *H. E. Goldsmid,*

Secretary to Government.

34.

Collection No. 1 of No. 4, Bombay Political Department,
Letter from, dated 17 January 1852.

Resignation of Lieutenant-colonel *Outram* of the Office of Resident at *Baroda*.

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Bombay Castle, }
17 January 1852. }

(signed) *A. Malet*,
Chief Secretary.

— No. 1. —

From Lieutenant-colonel *Outram*, C.B., Resident at Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

1. I HAVE the honour to acknowledge the receipt this morning of your letter, No. 5083, dated the 27th ultimo, announcing to me the resolution of the Right honourable the Governor in Council to remove me from the office of Resident at Baroda, but leaving it to me to withdraw from the appointment in the manner least offensive to my own feelings, and least calculated to embarrass Government, or affect their amicable relations with his Highness the Gaekwar.

2. In reply, I have the honour to request that I may be permitted to proceed to the Presidency under the form of the usual month's leave of absence, under section 11, from the 15th instant, with the understanding that my successor be appointed at the expiration of that term.

3. It is as much out of regard to the interests of Government, as from personal considerations, that I respectfully express my hope that my dismissal from office may not be made known in the interim.

4. I shall endeavour to clear off all current business of importance by the 15th instant, and trust then to leave matters in such a train in Mr. Battye's hands, that no embarrassment to the public interests will result, pending the arrival of my successor.

I have, &c.

Baroda, 1 December 1851. (signed) *J. Outram*, Resident.

— No. 2. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

THE leave applied for may be granted, but Colonel Outram should be informed that he should send in the usual application, after which his leave will be notified in the Gazette.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

6 December 1851.

— No. 3. —

No. 428 A. of 1851.—Secret Department.

From the Chief Secretary to Government, Bombay, to Lieutenant-colonel
J. Outram, C.B., Resident, Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of the 1st instant, and I am in reply to inform you that the leave of absence applied for by you, for one month from the 15th instant, under section 11 of the Absentee Regulation, is granted by Government, and to request that you will submit the usual official application, on receipt of which the leave will be notified in the Government Gazette.

I have, &c.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 7 December 1851.

— No. 4. —

No. 20 of 1851.

From Lieutenant-colonel *J. Outram*, C.B., Resident at Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government, Bombay.

Sir,

Political
Department.

I HAVE the honour to request leave of absence under the Absentee Regulation, section 11, to proceed to Bombay for the period of one month, on account of private affairs.

I have, &c.

(signed) *J. Outram*, Resident.

Baroda Residency, 10 December 1851.

— No. 5. —

No. 727 of 1851-52.—Political Department.

REPORT by the Acting Civil Auditor.

THE Acting Civil Auditor has the honour to report that Lieutenant-colonel Outram, Resident at Baroda, will be entitled to leave for one month, under section 11 of the Absentee Regulations, from the 1st proximo, provided no inconvenience or expense will be caused by his absence; but not before that date, since he enjoyed leave under that section from the 20th of April to the 20th of May last.

(signed)

G. J. Blane,
Acting Civil Auditor.Bombay Castle, Civil Auditor's Office,
15 December 1851.

— No. 6. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

LIEUTENANT-COLONEL OUTRAM may have leave for one month to visit Bombay, from the 15th instant (this day); the portion of his leave in December will be considered on duty, so that he will sustain no pecuniary loss; the fifteen days of January will be granted under section 11 of the Absentee Regulations. Colonel Outram should be desired to report the day of his departure from Baroda by return of post, and to acknowledge the receipt of his leave.

(signed)

Falkland.*J. Grey*.*D. A. Blane*.*A. Bell*.

15 December 1851.

— No. 7. —

No. 5297 of 1851.—Political Department.

From the Chief Secretary to Government, Bombay, to Lieutenant-colonel
J. Outram, C.B., Resident, Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 20, date 10th instant, applying for leave of absence to visit Bombay on private affairs for one month from the 15th December.

His Lordship in Council assumes that you will have left Baroda on that date, in accordance with the desire expressed in paragraph 2 of your letter of the 1st December, acceded to by Government, as communicated to you in my letter No. 428 A., date 7th instant.

Should this however not be the case, I am desired to inform you that your leave will be dated from the 15th instant, and in order that you may not suffer
pecuniary

pecuniary loss, your absence from that date till the end of December will be deemed to be on duty, and from the 1st of January, the time required to complete the month, will be reckoned as under section 11 of the Absentee Rules.

I am desired to request that if you have not already left Baroda, you will by return of post state the day of your departure, which the Right honourable the Governor in Council considers should be no longer delayed, and that you will at the same time acknowledge the receipt of this letter.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 16 December 1851.

— No. 8. —

NOTIFICATION.

LIEUTENANT-COLONEL OUTRAM, c.B., Resident at Baroda, is allowed leave of absence to the Presidency for the period of one month, on private affairs, from the 15th instant.

(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 16 December 1851.

— No. 9. —

From Lieutenant-Colonel *Outram*, c.B., Resident at Baroda, to *A. Malet*, Esq.,
Chief Secretary to Government.

Sir,

I HAVE the honour to acknowledge the receipt this day of your letter, No. 5297, dated 16th instant, and, as therein directed, lose no time in informing you that I had already, before the receipt of your letter, laid my *dâk*, and made my arrangements for leaving Baroda to-morrow, and that I purpose doing so accordingly.

I have, &c.
(signed) *J. Outram*, Resident.

Baroda, 19 December 1851.

— No. 10. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

I BEG to propose that Mr. J. M. Davies be appointed Resident at Baroda, from the 15th instant, and that he be instructed to assume charge of his office as soon as possible after that date.

(signed) *Falkland*.
J. Grey.
D. A. Blane.
A. Bell.

7 January 1852.

— No. 11. —

No. 44 of 1852.—Political Department.

From the Chief Secretary to Government, Bombay, to *J. M. Davies*, Esq.,
Bombay Civil Service, Surat.

Sir,

I AM directed to inform you that the Right honourable the Governor in Council is pleased to appoint you Resident at Baroda, from the 15th instant, and to request that you will assume charge of that appointment as soon as possible after that date.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 7 January 1852.

— No. 12. —

No. 45 of 1852.

RESOLUTION of Government in the Political Department.

Resolved, That the Deputy Secretary to Government in the Persian Department be requested to cause a letter to be prepared for the signature of the Right honourable the Governor, to the address of his Highness the Gaekwar, informing his Highness that Mr. J. M. Davies has been appointed by Government Resident at his Highness's court, in succession to Lieutenant-colonel Outram, c.B.

(signed) *A. Malet*,

Bombay Castle, 7 January 1852.

Chief Secretary.

— No. 13. —

NOTIFICATION.

Mr. J. M. Davies is appointed Resident at Baroda, from the 15th January.

(signed)

A. Malet,

Bombay Castle, 14 January 1852.

Chief Secretary.

— No. 14. —

No. 17 of 1852.—Persian Department.

MEMORANDUM by the Deputy Secretary to Government in the Persian Department.

WITH reference to the resolution of Government in the Political Department, No. 45, of the 7th instant, the Deputy Secretary has the honour to forward the accompanying khurreeta to the address of his Highness Gunputrao Gaekwar, together with a copy of its English version.

(signed) *A. Richardson*,

Bombay Castle, 12 January 1852.

Dep^y Sec^y to Government.

PERSIAN DEPARTMENT.

TRANSLATION of a Letter from the Right Honourable Lucius Bentinck Viscount Falkland, Governor of Bombay, to his Highness Gunputrao Gaekwar, dated 7 January 1852.

A. C.

FURTHER I beg to inform your Highness that this Government has been pleased to appoint Mr. J. M. Davies Resident at your Highness's Court, in succession to Lieutenant-colonel Outram, c.B.

For the rest, &c. &c. &c.

(True Copy.)

(signed)

A. Richardson,Dep^y Sec^y to Government.

— No. 15. —

No. 150 of 1852.—Political Department.

From the Chief Secretary to Government, Bombay, to *J. M. Davies*, Esq.,
Sarat.

Sir,

WITH reference to my letter, No. 44, dated the 7th instant, I am directed to transmit to you for delivery to his Highness the Gaekwar, after your arrival at Baroda, a letter (translation of which is enclosed for your information) from the Right honourable the Governor, informing his Highness of your appointment as Resident at Baroda.

I have, &c.

(signed)

A. Malet,

Bombay Castle, 13 January 1852.

Chief Secretary.

— No. 16. —

No. 151 of 1852.—Political Department.

From the Chief Secretary to Government, Bombay, to Lieutenant *M. J. Battye*,
Assistant Resident at Baroda in Charge.

Sir,

I AM directed to inform you that the Right honourable the Governor in Council has been pleased to appoint J. M. Davies, Esq., Resident at Baroda; and that a letter from the Right honourable the Governor, to the address of his Highness the Gaekwar, intimating this appointment, has been transmitted to that gentleman for delivery to his Highness on his arrival at Baroda.

I have, &c.

(signed) *A. Malet*,

Bombay Castle, 13 January 1852.

Chief Secretary.

(True Extract.)

(signed) *A. Malet*,
Chief Secretary.

35.

Collection No. 1 of No. 12, Bombay Political Department,
Letter from, dated 3 February 1852.

VINDICATION tendered by Lieutenant-colonel Outram, with reference to the Intimation made to him by Government, on the 27th November 1851, that he can no longer remain as its Representative at Baroda.

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Bombay Castle, } (signed) A. Malet,
3 February 1852. } Chief Secretary.

— No. 1. —

Secret Department.

FROM Lieutenant-Colonel Outram, c. b., Resident at Baroda, to Arthur Malet Esq., Chief Secretary to Government.

Sir, Baroda, 15 December 1851.

I HAVE the honour to request that you will intimate to the Right honourable the Governor in Council my formal resignation, from the 15th of January 1852, of the office of British representative at the Court of his Highness the Gaekwar of Baroda.

2. It is deemed by his Lordship in Council unadvisable that I should longer retain that office, and in desiring you to communicate to me his determination to this effect, his Lordship instructed you to detail to me the considerations on which it is founded.

3. In obedience to your instructions, you addressed to me your letter of the 27th November, and to that document I deem it my duty to reply at some length. For while I bow with all due respect to his Lordship's decision, I cannot formally abdicate a post in which I have so long, so arduously, and under such discouraging circumstances, laboured to promote the best interests of my Government, without tendering a respectful vindication of myself from the accusations that Government has recorded against me, when intimating to me that I may no longer represent it at Baroda.

4. These

4. These accusations I propose to notice in the order in which you have yourself stated them.

5. In the 3d para. of your despatch now under reply, you have been directed to express yourself as follows, in reference to the letter, dated 31st October last, with which I accompanied my "Report on Khutput."

"The Governor in Council regrets to observe, that you appear from this letter to have formed a very incorrect idea of your position as the representative of the Bombay Government, and also of the relations in which Government stands towards the independent sovereign and friendly neighbour to whom you are accredited; for it appears to the Right honourable the Governor in Council, that one at least of the principal objects of your present letter is, to induce Government to require the suspension, or absolute removal from office of that prince's chief minister, solely because you have, in so far as Government is at present advised, formed a bad opinion of that individual, against whom, however, you have brought no definite or specific charge. I am to remark that the recommendation of so arbitrary a measure towards any prince in the situation of the Gaekwar, could only be justified by absolute necessity, under circumstances of peculiar emergency, or extreme danger to the state; and that to accede to it when none of these causes exist, could only be regarded as a most wanton and tyrannical act of oppression against a compliant and unoffending ally."

6. In reply to the very heavy charges which, in the passage just quoted, you have been instructed to bring against me, while I readily concede that it was my earnest wish to induce the Right honourable the Governor in Council to call on the Gaekwar to select another minister, I beg most respectfully but most distinctly to deprecate your assertions, that I was ignorant of the relations in which Government stood to the Gaekwar, and that when I solicited the interposition of the Government for the removal of Bhow Tambekur, I had failed to bring specific charges against that individual.

7. I was aware that on the 3d April 1821, the Honourable Mountstuart Elphinstone had distinctly informed the Gaekwar, that in more than one respect he was bound to conform to the wishes of the Resident. After informing him, in reference to his control over the dovlut, no extra expense could be incurred "without the consent of the Resident," he thus proceeded:—"Those Duruckdars, &c., who possess the British guarantee, should not be molested. As regards the appointment of a minister, to look after the interests of the State, the same should be made through the consent of the Resident."

8. I was aware that the relations in which Government stood to the Gaekwar, were so understood by Sir J. R. Carnac, as to induce that Governor of Bombay to address his Highness in the following terms on the 8th February 1841 * * * "The earnest desire which you have evinced for a reconciliation with the British Government, and your promises to preserve inviolate all existing guarantees, and to be guided by the councils of the British representative at your Highness's court, has enabled me to renew the bonds of amity."

9. After telling his Highness that he "had on several occasions taken an opportunity of speaking to him on the subject of the evil advisers by whose councils his Highness had been led into difficulty," Sir James thus expressed himself:—"Your Highness will be careful, therefore, never to employ any of these individuals * in any transaction whatever with the British Government, or in any business connected with our guarantees, the holders of which have been on many occasions so grievously oppressed."

* Bappoo Urguria,
Baba Nafra,
Gunesh Punt,
Bhow Pooranuk.

10. Still more explicitly did Governor Carnac speak in his following sentence:—"I have spoken to your Highness on the subject of the nomination of a minister. You are aware that you are bound to appoint a person to this office with the approbation of the British Government. You inform me that you desire no minister, and that you will yourself transact all matters of business with the Resident. As a mark of my friendship for your Highness, and of my confidence in the continuance of that good understanding which I observe to exist between you and the Resident at your Court, I have consented to waive the demand for the fulfilment of this stipulation during such period as your Highness may act up to your professions and be guided in all matters in which

the British Government has any concern, by the good counsel of the British representative."

11. Sir James went on to express a hope that the confidence thus reposed in his Highness might not be misplaced, and that it would not be necessary to enforce on his Highness a measure to which he was averse; and he urged him to be guided by the Resident's friendly advice. But still more to the point were the lessons read to the Gaekwar by Governor Sir George Arthur on the 18th July 1843.

12. In the 26th para. of that memorable letter, he wrote as follows, in allusion to the Dakjee Dadajee business:—"In one of your communications to the Resident, your Highness admits having heard of the reports which the payment originated, prejudicial to the character of Government, and of its officers," (to wit, their being bribed over to procure decisions favourable to his Highness); "but you allude to them as unworthy the notice of a great Government. On this point it is my duty to undeceive your Highness. The British Government is extremely jealous of its high character for honour and integrity, and its complete freedom from all taint of corruption; hence it regards the offence of Dakjee Dadajee as one of the greatest magnitude, its effect being to create a belief that justice is to be bought and sold, and that corruption prevails at the very gates of Government. It behoved Government, therefore, when his wicked machinations were discovered, to institute the most rigid inquiries with the view of dispelling the false accusations he had disseminated, and if possible, of punishing all parties implicated in the transactions."

13. Sir George proceeded to explain that the Guicowar had been "backward" in aiding the British Government in vindicating its purity. He informed the Guicowar that he should deem it his duty to place his Highness's conduct before higher authority in its true light, and he added, "The consequences it is impossible to foresee; but as your sincere friend and well wisher, I deem it right to observe that they may be excessively injurious to your Highness' interests; and I would, therefore, fain hope that * * * Your Highness will see that it is for your advantage to make to the Resident a confidential disclosure of all the circumstances within your Highness's knowledge of the impositions which have been practised on your Highness, and that you will dismiss from your counsel and intimacy all persons implicated therein, who have dared to call in question the honour and integrity of the British Government, by representing to your Highness that some of its highest functionaries could be influenced in their original acts by pecuniary circumstances."

14. Sir George, after intimating that the Resident had been ordered to exclude from the Residency five individuals named in the despatch, proceeded to impress on his Highness the propriety of his Highness excluding them from his counsels. And his letter hinted that he might be compelled to enforce the right which Sir J. R. Carnac had waived, and he concluded with a hope that his Highness would, by a compliance with the Governor's suggestions "avert the consequences" of the displeasure his conduct would awaken in higher quarters.

15. On the same day that Sir G. Arthur wrote this letter, Mr. Secretary Reid was instructed to address to Mr. Boyd, the Resident, a very severe reprimand for allowing himself to be cajoled by the Guicowar and his advisers. In the 7th para. of his letter Mr. Reid expressed himself as follows: "The Governor in Council cannot but believe that important results would have ensued, had you, on occasions like these, assumed a decisive tone with his Highness, or Gopal Row Myral, at these ill-disguised attempts to impose on you, and through you, on the British Government."

16. In reference to Gopal Row Myral, the Guicowar's then adviser and *de facto* minister, it was decided by Government that should he fail to reveal all that he knew of the Khutput intrigues carried on through Dakjee Dadajee, "the Resident shall decline to receive him as the agent of his Highness the Guicowar, in any transaction whatever, and shall refuse to exercise on his behalf any friendly office he may require."

17. The Resident, Mr. Boyd, was throughout severely censured for not considering it his bounden duty to display zeal, energy, and determination in vindicating

vindicating the purity of British justice, by exposing the Baroda Khutput matters; and Mr. Reid's 10th para. thus alluded to the subject: "The Honourable the Governor in Council has been greatly disappointed at the apparent want of interest which you have evinced in the furtherance of the important objects which Government have in view in prosecuting this inquiry. The little success which has attended the measures which Government directed you to adopt, with the view of bringing to light the real facts connected with the case, establish in the opinion of Government, in a painful degree, a want of that influence at his Highness the Guicowar's court which you should possess, and is essential to the performance of your duties. Your several reports to Government have impressed the Governor in Council with a feeling that, throughout this inquiry, you have evinced a want of zeal, energy, and decision to co-operate in furthering the objects of Government, and a similar impression has been made by the accounts given by you of your several interviews with his Highness, and with the *de facto* minister, Gopal Row Myral."

18. I might multiply instances to prove that past Governments have not deemed themselves debarred by the relations subsisting between the two Governments from making requirements on the Guicowar full as great as that which I had suggested; and I know that long ere I had allowed the minister to perceive that I was aware of his attempts to thwart my inquiries, and while yet he made a great display of zeal in my behalf, my delicacy in reference to that individual was deemed ridiculous by a late very distinguished functionary, who was well versed in Baroda politics, and who deprecated the idea of a Resident not taking means to displace a minister who was secretly impeding his official actions.

19. I now proceed to notice your assertion to the effect, that when I solicited Government to move his Highness to the selection of another minister, I had brought against Bhow Tambekur no definite or specific charges.

20. In handing up the case of Joitabhaee Settanee, I did my best to prove that the history of that case was calculated to rivet in the native mind of Baroda the previously existing belief in the efficacy of Khutput; and though Government in reviewing my report has not deemed the subject worthy of its notice, I think I satisfactorily proved that the conduct of the two punchayets appointed by the Durbar to investigate that lady's case was detestable and disgraceful. The first punchayet in which, contrary to the provisions contained in the letters of Sir George Arthur, Gopal Row Myral was placed, made use, as my report shows, of the most frivolous pretexts for preventing Joitabhaee's case being tried on its merits. But it was with the proceedings of the second punchayet that my report was most concerned, and the proceedings of that body (I observed) distinctly proved that its members "while compelled to give a decision adverse to their friend, they did not hesitate to adopt the most shameful expedients with a view to render their verdict as little damaging as possible."

21. And I proceeded, "These expedients I should have been able to expose more fully than I have done had I received that aid from the Durbar which it was their duty to render me; but as the punchayet had been merely the tool and puppet of certain influential members of the Durbar, it cannot be a matter of surprise that my efforts should have been unsupported, and negatively frustrated, so far as the Durbar could venture to frustrate them. I say the Durbar, and I beg that neither the Bombay Government nor the Honourable the Court of Directors will conceive that I mean to implicate the Guicowar personally. Against his Highness I have no complaint to make; on the contrary, I owe him a deep debt of gratitude for the anxiety he has ever displayed to forward my views, and to facilitate my measures; and had his Durbar given cordial effect to the Prince's orders, and fulfilled what they knew to be his wishes, I should have been able to make a clearer and a more complete report.

"But the Durbar, by which I mean the official servants of the Guicowar Government, are almost to a man the friends and partisans of Baba Nafra, and considering what I have said in paras. 14 to 19 of my introductory remarks, it can hardly be a matter of surprise that their friendship remains uncooled, and their partizanship unabated, notwithstanding the temporary disgrace that has fallen on their friend. The sentence under which the Baba lies, will, they

confidently believe, be set aside by the Bombay Government; for not only do they rely on the omnipotent efficacy of Khutput in the abstract, but they believe that effectual Khutput has long since been made by Baba Nafra and his friends; they know that the Baba is ready to pay down almost any imaginable amount of money; they are aware that since his conviction enormous sums have actually been remitted to Bombay; and they have learned further, not only that one of the leading members of the Bombay bar (the Company's legal remembrancer, it is understood) has been retained on his behalf, but that Captain French takes a deep interest in his cause, and is strenuously exerting himself in the Baba's behalf."

22. I went on to give illustrations of the "tactics of the Durbar friends of Baba Nafra." Amongst others, I gave the following: * * * "The punchayet's proceedings, as sent to me officially, differed from the original draft submitted; this circumstance I communicated to his Highness by yad, and requested explanations; and from that day up to the present I have had repeated occasion to call for further explanations respecting the various discrepancies, suppressions, garblings, and other discreditable artifices in the punchayet's proceedings, which have from time to time come to light. I will not give unnecessary bulk to this report by describing the unsatisfactory nature of these explanations, but a reference to Appendix (J.), which contains the correspondence on the subject that has passed between the Residency and the Durbar, while it will show how sorely my temper and my patience have been tried, and what local obstacles I have had to contend with in my search after truth, will, I hope, when taken in connexion with what I have said in paras. 14 to 19 of my introductory remarks, satisfy Government that their own dignity and the welfare of those under their protection, imperatively demand that they shall, whenever it is in their power, render me that prompt, active, cordial, well marked, and energetic aid, without which it is in vain that I attempt to vindicate the purity and incorruptibility of British justice, and to eradicate that universal and deeply-rooted belief in the efficacy of Khutput, which tends daily more and more to demoralize the people of Baroda, and which, while it remains uneradicated, will inevitably bring forth a succession of Baba Nafra and Nursoo Punt, of Joitabhaes and Moreshwur Fudkeys, to the scandal of the British name."

23. I did not, while making my report, choose unnecessarily to awaken the active hostility of the minister, for I was then engaged in investigations of great difficulty, and in which I required all the aid I could obtain from him. I did not, therefore, specially introduce his name into a report, every word of which would, if sought by him, be communicated to him by the traitors in my own office, or by the traitors in the secretariate. But I felt assured that my meaning would be understood by my superiors; and it never occurred to me that the Chief Secretary, so conversant with Baroda matters, and who had suffered so much inconvenience from Baroda intrigue, or the members of Government, two of whom have had long experience of Indian usage and phraseology, would fail to interpret "the Durbar," as embracing and practically specifying the *de facto* head of the Durbar, the ruler of its councils, and the regulation of its acts.

24. Nay, in the very letter which has led to my removal, and in reply to which you were instructed to say I had brought no definite or specific charge against the minister, I thus expressed myself of that individual, in reference to the Joitabhae affair: "To myself, personally, the minister has been a source of embarrassment ever since I came in contact with him. In my various investigations his influence has been exerted for the suppression of truth; and as an illustration of what I say, I would refer to the proceedings of the two punchayets appointed by his Highness the Guicowar to adjudicate in the case of Joitabhae Settanee. The disgraceful proceedings of these two bodies, I need hardly say, could only have been perpetrated with the minister's connivance."

25. Addressing a Government whom I presumed to be well versed in the constitution and workings of native courts; and through a Chief Secretary who was particularly well informed as regarded Baroda matters, I did not think it necessary to demonstrate so obvious a truism. And as I never doubted but that the Bombay Government would consider the proceedings in question as disgraceful; and as these disgraceful proceedings were intended to screen the perpetrator of a foul outrage on a lady enjoying the British protection, I thought
when

when I accused the minister of connivance at them, I brought against him a very definite and specific charge.

26. Again, in respect of another case on the 27th of June 1851, I complained, with the concurrence of Mr. Commissioner Frere, of the "shameless manner in which the influence of the Durbar had been exerted to prevent witnesses from giving evidence against Nursoo Punt." And having on former occasions explained that I had no cause of complaint against his Highness, I thought my remarks would necessarily be at once recognised as applying to the minister. And in the Khutput report which accompanied the letter which led to my removal from office, and to the contents of which I obviously referred in that letter, I observed as follows in reference to the same obstructive conduct of the minister:—"But though I cannot prove it, and those who are acquainted with native Durbars must well know that in such cases proof is seldom possible, I know that he (the minister) has been secretly working against me, deterring those who could give me information from coming forward, and otherwise doing his utmost to thwart and embarrass me. * * * I trust the facts detailed in my Joitabhaee report will be considered as justifying my being authorised to communicate to his Highness, the Guicowar, the wish of the British Government that he should select another and a better counsellor. Only the other day did the minister send to Baba Nafra's family the annual present of clothes, customary to be given by the Durbar to the principal gentry of Baroda, on the occasion of the Gunputty festival."

27. Addressing those who know the conventional meaning attached to these presents, I did not deem it necessary to enter on any argument, with a view to prove that, in paying such a compliment to a man who had recently been convicted of a foul conspiracy against a lady enjoying the British protection, who had, years before, been repeatedly denounced by the Bombay Government as an improper associate for the Guicowar, and one utterly unfit to be received at the residency, and who had been engaged in corrupting British servants, the minister had gone out of his way to manifest the real state of his feelings towards the British representative.

28. Again, at the date of the letter in which you were instructed to say I had brought no definite or specific charge against the minister, I had submitted to Government proofs of the corruption existing in their own secretariate; proofs which Government has, I believe, deemed conclusive; and coupling these with the facts and considerations tending to prove that the minister was a party to that corruption, and that he had been carrying on fresh intrigues not very dissimilar in nature or object from those which issued in the Dakjee Dadajee exposures, and which Sir George Arthur thought of so grave a character as seriously to compromise the safety of the Guicowar state, and as fully justifying him in ordering the Baroda Resident to refuse to recognise the *de facto* minister of that day.

29. I had at the same time informed them, that if they would give a guarantee, for which good precedent existed, of personal safety to Govind Row Roria, I should be able to throw some more light on these inquiries. Had I deemed it necessary, I might further have informed Government that, through the minister's instrumentality, his Highness had entertained many individuals who had previously been dismissed from Government employ, such entertainment being in direct violation of the Treaty, dated 21st April 1805.* And I have since communicated additional information of a tendency to inculcate the minister, whose subsequent demeanour has been to the last degree offensive; but this is not germane to the subject of my present letter.

30. Having thus endeavoured to exonerate myself in the eyes of his Lordship in Council from two of the accusations under which I labour, I would beg, with all deference, to notice another censure implied in your observations on the suggested message to the Guicowar, recommending the dismissal of the minister. You tell me you are directed to remark, "That the recommendation of so arbitrary a measure towards any prince in the situation of the Guicowar, could only

* A list of nine of these individuals, forming perhaps a majority of the city officials of the Durbar, is given in Appendix (A).

only be justified by absolute necessity, under circumstances of peculiar emergency, or extreme danger to the state; and that to accede to it where none of these causes exist, could only be regarded as a most wanton and tyrannical act of aggression against a compliant and unoffending ally."

31. To a political career of some duration, and not altogether undistinguished, I would refer in exculpation from the charge of willingly recommending any wanton and tyrannical act of aggression against a compliant and unoffending ally. And I can with pride point to the unvarying tenor of my personal intercourse with his Highness the Guicowar, as evincing an honest and earnest desire to maintain intact his dignity and prerogatives, to consult his interests, to forward his views, and to remove his prejudices. And it is precisely because I regard the Guicowar personally as a compliant and unoffending ally that I desired to see him rescued from the thralldom of an evil adviser, whose proceedings are directly calculated to imperil the permanence of the Guicowar dignity, by betraying his Highness into a course of procedure which a future Government may deem hostile to the British Government. It was precisely because I was anxious to avert the occurrence of future events and consequences, which might hereafter be held to justify the absorption of the Guicowar state, that finding all my other recommendations unheeded by my Government, I was at last compelled to urge the removal of the minister, who, influenced by his own selfish views, cared not, though he should eventually compromise his sovereign beyond remedy, so long as he could gratify his own ambition, avarice, and malice.

32. When I handed up the Joitabhaee report on the 31st March 1851, I was in hopes that a less decisive act on the part of Government than a direct censure of the minister, or a call for his removal, would meet the requirements of the case. After offering certain recommendations, based in equity, in reference to Baba Fudkey, I then proceeded: "I would beg moreover that when communicating to his Highness the Government confirmation of Baba Nafra's sentence, I may be authorised to state to him that Government only confirm that very inadequate sentence from a feeling of personal respect for his Highness, who has individually done all in his power to promote the elicitation of truth; from a disinclination to hurt the feelings of so amiable a prince by formally setting aside the decision of his courts, and from a confident hope that his Highness will take effectual means to prevent a recurrence of conduct on the part of those invested by him with judicial functions similar to that displayed by the punchayets appointed to investigate Joitabhaee's complaints in 1847 and 1850. I would further beg that I may be instructed to communicate to his Highness the deep regret of Government that the state of morals in his capital should be at so low an ebb as the history of the Joitabhaee case proves them to have fallen, and the earnest request that his Highness will henceforth, with his best energies and all the influence at his command, co-operate with them and their local representative in eradicating the dishonouring belief in the efficacy of Khutput."

33. But my recommendations have been unheeded, and circumstances have occurred since the date of my Joitabhaee report, tending powerfully to rivet the belief that my anti-Khutput efforts are distasteful to Government; conduct the reverse of compliant and unoffending on the part of the Durbar had been brought to the notice of Government, and I felt that I should have failed in the duty I owe the Guicowar had I not implored my Government to exercise its undoubted right for the purpose of saving from serious consequences an amiable but weak-minded prince. I did implore it, and I am removed.

34. I will not indulge in predictions as to the future history of this court, but as exhibiting the present aspect of its affairs, I will avail myself of the words of the late Mr. Sutherland, written under date 11th June 1838, and at the period when the dismissal of Veneram Ardtram (the then minister) was under discussion: "The present policy, and the dominant party in the state of whom I have treated, are detested by all, while Veneram's return is dreaded as likely to perpetuate their misfortune and ruin. I have understood, from various sources, that the members of Syajee Row's own family consider the line he has adopted towards the British Government to be injurious in the extreme, and fraught with mischief to himself and the future prosperity of his family."

35. I now

35. I now proceed to offer a few respectful remarks on your 4th paragraph. In that paragraph you observe, "It was not intended by the Government circular of the 15th of May 1850, to enjoin those functionaries to whom it was addressed to devote their time to searching out cases on which corrupt influences had anywhere, or at any time, been brought to bear, or to attempt to discover that which, from its very nature, must be all but impossible to trace; and it is quite clear that you have misinterpreted the letter on which your elaborate report is founded, and have entered on very laborious and difficult researches, with the expectation of destroying, amongst the people of this country, the practice of seeking to compass their ends by indirect means or corrupt influences. Had you stopped here the Governor in Council would have deemed it sufficient to have cautioned you that the course you were following was calculated to embroil Government with the Guicowar, and that all that it was practicable to effect towards destroying the impression said to prevail with regard to the efficacy of Khutput would be best effected by the exercise of extreme vigilance in the offices of all the public departments."

36. In reference to the apparently implied charge contained in this paragraph, to the effect that I neglected my other duties while preparing my Khutput report, I beg, with all deference, but in the most explicit manner, to say that such was not the case.

37. That report was written during hours abstracted from recreation and repose, and during the period that it was under preparation the records of this office and those of the Government secretariate amply testify that I effected an amount of work greater than could have been performed during the diurnal periods conventionally considered enough for devotion to office duties.

38. When his Lordship in Council directed you to state that, misinterpreting the Khutput circular, I entered on very laborious and difficult researches, he appears to have conceived that the Joitabhaee, Nursoo Punt, and Moreshwur Fudkey cases were investigated with a view to the completion of my Khutput report. If such was his Lordship's conception, I beg respectfully to state that it is incorrect. Those cases were investigated by me, as the context of the reports on them shows, as a part of the regular official duty of my appointment. I should have failed in my duty had I neglected their investigation, and if their investigation was calculated to embroil Government with the Durbar, such embroglios could only have arisen from the Durbar refusing that aid, which, it has been over and over declared by Government, they are bound to render to the Resident. The investigation of the cases in question afford lamentable illustration of the extent to which the belief in Khutput existed, and of the mischievous results to which it led. And such being the case, I considered it my duty to incorporate a recital of them in my report on Khutput, the object of which was to demonstrate that the belief in Khutput did exist; that it had long existed, that it had produced much mischief; that its existence, and the mischief arising out of it, had often been brought to the notice of Government; that measures calculated to destroy the doctrine of the corruptibility of high officials had been urged on Government, but disregarded by them on the ground that the conduct of Government was not to be influenced by public opinion; that subsequent events had proved how groundless were the hopes expressed on those occasions by Government; and that of late years the honour of the British Government had been called in question to an extent even greater than was the case when Sir George Arthur made his memorable declaration, that Government could not afford to allow even rumours of official corruptibility to pass unsifted, and that all, whether princes or their subjects, who dared to contemplate bribing British officials, or who should fail to render active aid in the detection of those entertaining such intentions, imperilled themselves, and must be considered as hostile to the Government.

39. You were instructed to attribute to me "expectations of destroying, amongst the people of this country, the practice of seeking to compass their ends by indirect means, or corrupt influences." I beg to assure his Lordship in Council that no wild and Quixotic expectations of the kind ever entered my mind. But I did hope to induce Government to take steps requisite to disabuse the native mind of Baroda of the belief that high British functionaries could be bribed or influenced by improper considerations. I did hope that they would

extend to me every assistance in their power, and stretch their authority to its utmost, with a view to forward the objects I had in view. I did hope they would repeat in 1851 language similar to that used by Sir George Arthur in 1843; adopt the steps he then thought it his duty to take, and authorise their Resident to do that which Mr. Boyd was severely censured for not doing. In his case, as in mine, the matters under discussion were matters that had previously taken place. In both cases the object of the inquiry was to ascertain who were the parties guilty of an "offence of the greatest magnitude, its effect being to create a belief that justice is to be bought and sold, and that corruption prevails at the very gates of Government;" and if it behoved Government to "institute the most rigid inquiries" in 1843, it appeared to me still more incumbent on their Resident to do so in 1851. If, in 1843, the Resident was blamed for not placing the *de facto* minister in "an embarrassed position," which meant, proving to his face that he was guilty of falsehood, and for not, on his own responsibility, adopting "a decisive tone" with the same official and with his Highness, I did not conceive that I was overstepping the line of duty in 1851, when, after all other means failed, I implored my Government to adopt a much milder form of the same decisive tone, in consequence of the minister's ill-disguised attempts to impose on me, "and through me, on the British Government."

40. In the 5th paragraph of your letter you thus expressed yourself: "You have, however, gone far beyond this: it is not indeed easy to follow you through all the facts and arguments contained in your letter, but your main intent and purpose apparently are, to show that your endeavours to trace out and expose the system of corruption, which you assume to have existed for a series of years at Baroda, have been opposed and thwarted by the Bombay Government; that you have become a mark for calumny and reproach, and have incurred the danger of assassination at the hands of those whose evil deeds you have endeavoured to bring to light; that, nevertheless, you remain at your post, because you regard it as your imperative duty to continue to contend for the great principles you have striven to maintain, and to call on this Government to act with you, to cause the Guicowar to dismiss his minister, to punish the parties you deem corrupt, as traders in corruption, and thus vindicate the purity of the British character, in the manner you deem just and right; you likewise assume that you have lost the confidence of your official superiors, and bitterly complain of the position in which you are consequently placed."

41. As regards the condemnation by Government of the mode in which I have constructed my Khutput report, I have no plea in extenuation to offer, for I am painfully conscious that mine is not the pen of a ready or an elegant writer; but obscure as may be my phraseology, clumsy the arrangement of my facts, and unskilful the order of my arguments, I did not expect that my report would be so misunderstood by his Lordship in Council as seems to be the case.

42. One of its objects was, undoubtedly, to show that, like more than one of my predecessors, I had not received that support and countenance which, in common with them, I have considered a Resident had an undoubted right to expect at the hands of a government, for the promotion of whose interests and for the vindication of whose honour he labours. But another object, and a still more important one, was to demonstrate that which his Lordship in Council is pleased to say I assume: viz., that a system of corruption has prevailed at Baroda for a series of years.

43. That I have, through the prevalence of this system of corruption, in consequence of my exertions to vindicate the reputation of my Government, and owing to the absence of any apparent aid or sympathy from that body, been made "a mark for calumny and reproach," is another fact which it was one of the objects of my report to bring again before the notice of Government. I say, again, for my report on Mr. Andrews' conduct proved to Government that, even at that date, the corruptionists, believing that my inquiries were distasteful to Government, ventured to insult me, laboured to bring my authority into contempt, and then commenced a course of conspiracies, and the subornation of perjury, to be used for the purpose of damaging my reputation and upsetting my decisions, so soon as my removal was effected, a measure which the corruptionists proclaimed the Government would avail itself of some pretext to effect.

effect. Since then, I have on several occasions found myself bound to bring to the notice of Government the feelings towards me that have been awakened by my official investigations, and by my inability to enlist on their behalf the marked aid and sympathy of Government. The nature of these feelings, and the language, threats, and boasts, in which they vent themselves, are as well known in the bazars of Bombay as in those of Baroda.

44. That I have incurred the danger of assassination in consequence of my official investigations is another fact, which will at a future time, and on a fitting occasion, be corroborated by medical testimony.

45. And it is a fact, as stated by me in my Khutput report, that, notwithstanding all these heavy penalties incurred by the adoption of a course, for the non-adoption of which Mr. Boyd was censured in 1843, it was my earnest desire, because I deemed it my duty, to remain at my post; and the consequence of my removal at this particular juncture will, ere many years elapse, demonstrate that it was indeed my duty not to desert my post, full of difficulty and danger as it is.

46. It is no less true that I suggested to the Bombay Government to call upon the Guicowar to dismiss his minister, and begged of them to punish certain traders in corruption, not men whom I merely deemed corrupt, but whom I have proved to be corrupt. Having already justified my recommendation in respect of the minister, I will here only observe that I feel assured his non-removal will lead to events, which, in a very short time, must form the subject of a report more startling than that which has procured for me the displeasure of his Lordship in Council. At this present moment matters are in a state similar to that described by Mr. Sutherland, in his despatch of the 11th June 1838. And though on my removal, which, under the circumstances, and at the juncture of its occurrence, will be deemed a signal triumph of the corruptionists, matters will for a while proceed smoothly enough, and excessive friendship and zeal will be displayed by the Durbar; the thralldom in which the minister holds the weak mind of the Guicowar will, I feel assured, lead to results which every friend of his Highness will deplore.

47. If I assume that I have lost the confidence of my official superiors, the assumption will hardly be deemed an extravagant deduction from the events recorded in my Kutput report.

48. In that report I have displayed as an organic whole, in its entirety, in its relations, and in its results, the policy which the Bombay Government has observed in reference to Baroda matters. In it, as well as in all my other despatches, I have maintained that my conduct has been such as to entitle me to the confidence of my superiors; and imbued with this conviction, it cannot be a matter of surprise to the Right honourable the Governor in Council that I should bitterly complain of the position in which I am placed.

49. In your 6th paragraph you have been instructed to intimate to me as follows:

“Had his Lordship in Council become aware that your feelings were such as you now describe them to be, that you had ceased to regard the Government you represent with respect, that instead of looking on yourself as bound, while the representative of the British Government at Baroda, to act only as directed by that Government, and to carry out scrupulously those views, and those only, which might be indicated for your guidance; that you deemed yourself, as is inferred from para. 17 of your letter, to be endowed with some independent authority to be exercised or not at your pleasure, his Lordship in Council would sooner have been convinced that the mutual confidence which ought to subsist between the Government and the Resident was wanting, and that you were, therefore, no longer qualified to discharge satisfactorily the functions of your important office.”

50. His Lordship has been long aware of the difficulties of my position, and how keenly I have felt the absence of that outwardly manifested sympathy and aid at his hands which the difficulties of my position demanded. For the last 14 months I have been more or less energetically expressing myself on the subject, and for the same period have I been reiterating, not the assumption, but the fact, that a belief in the corruptibility of the highest officials is universal at Baroda.

51. But on no occasion have I ever informed his Lordship that I had ceased to regard the Government with respect; and allow me to recall to you, that in the 23d para. of your reply to my Joitabhae report, and of a date subsequent to that of your letter now under reply, you have quoted my own words, as follows:—"It is true * * * that you have expressed your implicit faith in the honour and purity of Government, which you have been pleased to add, you esteem and honour."

52. What I have told his Lordship is, that the natives of Baroda do not view Government with respect, that on the contrary, they regard it as sympathising with the corruptionists. But this was told months prior to his Lordship's receipt of my Khutput report. That report only brought together, in a collected and connected form, the subjects on which, from time to time, I had corresponded with Government: in fact, it was principally composed of extracts from my correspondence. And that report, with its accompanying letter, was before his Lordship, when, on the 23d November, he invited me to continue the prosecution of inquiries which, in spite of all the obstacles I had encountered, I was not without hopes of conducting with a certain portion of success, but of which, four days after, he was pleased to order the summary close.

53. The para. of your letter which is now under notice, contains an accusation to which I must beg most respectfully, but most emphatically, to plead not guilty. You have been instructed to say, that "instead of looking on myself as bound, while the representative of the Bombay Government at Baroda, to act only as directed by that Government, and to carry out scrupulously those views, and those only, which might be indicated for my guidance, I have deemed myself to be endowed with some independent authority, to be exercised or not, at my pleasure."

54. This, sir, is a charge which, if founded in fact, can be substantiated; and which if, on inquiry, it proves to be not founded in fact, I trust his Lordship in Council will deem it only just to erase from the records.

55. I cannot admit that I have, on any occasion, acted otherwise than as directed by Government; that I have failed to carry out the views of Government, or that I have ever exercised any independent authority beyond the exercise of that limited discretion as to the mode of carrying out the views and orders of Government, which it is absolutely necessary for every public servant, civil or military, from a Governor to a corporal commanding a guard, to exercise. Without such limited discretionary power public servants would be constantly defeating the objects of their superiors by a compliance with the exact letter of orders, despite the occurrence of circumstances unforeseen by those who issued the orders, and which require a slight departure from the letter in order to give effect to the spirit of these orders.

56. To no greater extent have I ever done aught to justify the assumption that I regarded myself as independent of the Government I represented; and I cannot believe that his Lordship meant to affirm that a Resident has no right, under any circumstances, of exercising a limited discretion.

57. Neither can I imagine that his Lordship denies to a Resident, not the right only, but the duty of bringing to the knowledge of his superiors such misinterpretation of their proceedings as tend to injure the estimation in which they are held.

58. Still less can I suppose that his Lordship means to enunciate the doctrine that a Resident, while obeying his Government, is not justified in remonstrating against its proceedings, when his local knowledge and experience satisfies him that these proceedings have an injurious, or, it may be a decidedly unjust tendency, and when the records of his office prove that similar proceedings have, in former years, been followed by most disastrous consequences, and tended to defeat the object which their authors professed to have in view.

59. Nor can I imagine that he holds a Resident prohibited from clearing himself from any heavy, but erroneous accusations which his superiors may have, in misapprehension of the real facts of the case, on invalid assumptions, and without inquiry, cast on him in his absence. And equally impossible is it for me to suppose that his Lordship condemns a Resident for incontestably proving to his

Government,

Government, that, in casting such undeserved censures upon him, they have done so in the avowed advocacy of a man who, far from deserving their support, was betraying their interests, prostituting their name, and lending his venal services in promotion of frauds and prosecutions, practised by unprincipled men, who had been denounced by former governments, and having for their objects helpless beings entitled to the protection of the British Government.

60. And if, in the prosecution of these legitimate actions, a Resident should have occasion to show that the worst possible motives are supposed by the native community to have influenced the Government that has erroneously accused himself, and erroneously acquitted the guilty, I feel assured his Lordship in Council would not be supposed to affirm that, rather than demonstrate the existence of such a belief, with a view to indicate the means of destroying it, the Resident should bear his unjust accusations in silence.

61. I am therefore the more puzzled to understand why his Lordship should have supposed that I conceived myself as endowed with an authority independent of my Government. For if the charge rests solely, as your letter would almost warrant me in supposing, on inferences his Lordship has drawn from the 17th para. of my letter, giving transmission to my Khutput Report, I can only say that his Lordship has inferred from that para. a meaning it was never intended to convey.

62. In order to form a correct conception of the meaning of the para. in question, it is obvious that it should be viewed in connexion with its antecedents; and, thus viewed, I have a difficulty in conceiving how his Lordship could have put on it the construction you say he has done.

63. I had in previous paras. thus expressed myself: "In presenting this report, I beg most solemnly and sincerely to state, that I am innocent of all intentional disrespect to Government. But matters have reached a point at which I should signally fail in my duty, did I not to my utmost state in a clear and explicit manner the peculiar, and almost overwhelming difficulties under which I am placed."

64. These difficulties, arising from the universal belief in the efficacy of khutput, and from the manner in which Government had received my efforts to act in accordance with the spirit of Sir George Arthur's memorable letter to the Guicowar, I thus specified: "I, the British representative at Baroda, am regarded by the Durbar, and the subjects of the Prince at whose court I reside, as one whom it is not only safe, but sound policy to thwart, and intrigue against. I am regarded as an officer in disgrace with my Government, as opposed by it, and as undergoing at all hands a course of humiliation which, if not designed to drive me to the resignation of my appointment, is intended to lead me into such insubordinate conduct, or intemperate language, as shall insure its forfeiture; and the result of such opinions may be easily conceived."

65. I went on to exonerate the Guicowar personally from all blame, and to indulge in serious reflections on his minister, through whose conduct, I reported, much dissatisfaction towards his Highness has existed amongst the people, and who, I declared, had been a source of embarrassment to myself ever since I came into contact with him. I proceeded to allude to the cunning manner in which he endeavoured to deceive me into the belief that he was aiding me while engaged in thwarting me, and I then expressed myself as follows:

"Had I been on those terms with my own superiors to which in former days I had the honour to be admitted, as well by the Local as by the Supreme Government, I should, at an early date of my intercourse with the minister, have pointed out to his Highness the necessity, for the honour of his own Raj, of selecting another adviser. In doing this, I should have done no more than any other Resident in India in a similar position would have deemed himself justified in doing. I should have been rendering an essential service to the Guicowar, and I should have diminished that intrigue and corruption which tend so much to compromise the character of the British Government in the eyes of the natives. But I felt keenly that I was not admitted to that confidence and kindly consideration on the part of Government which it was once my honour to enjoy. I feared that my conduct might be censured, and that my recommendations might be unsupported, and in such a case I was well aware that intrigues would

multiply, and attempts be made to involve me in a dispute with the Durbar, with a view to lead to my removal from a post where I am a source of inconvenience and alarm to the traders in corruption. I have therefore been constrained to meet the minister in his own fashion, and to assume his own cordial demeanor; to express satisfaction for such trifling aid as, from time to time, for appearance sake, he has rendered me, and to appear ignorant of his secret opposition."

66. Having thus delivered myself, I proceeded to indite my 17th para., from which, as you have been directed to record, his Lordship in Council saw reason to infer that I considered myself as "endowed with some independent authority, to be exercised or not at my pleasure."

67. That para. was as follows: "This is a position from which I conceive that I have a right to be allowed to relieve myself, by the exercise of that authority which few other Residents would hesitate to exert; but should Government not concur in this view of the case, I shall respectfully submit to its decision; for I feel that it is my duty to remain at my post, one of difficulty, as well as of danger, as it is. I repeat of danger; for not only is the climate one that disagrees with me, but it is the opinion of my medical advisers, that on more than one occasion has my life been tampered with, at the instigation of those corruptionists I was endeavouring to expose."

68. The above, sir, is the 17th para. of my letter, re-produced entire; and I beg once more to declare, that it was never intended to convey the meaning which his Lordship, you were directed to say, inferred from it.

69. The word "authority" is perhaps not the one best suited to convey my obvious import; "license," or "discretion," or "official act," would, I admit, have been a more appropriate expression. But the context shows that I referred to the recommendation of a change of minister, which expressed my belief that no other Resident in India, in similar circumstances, would have hesitated to make such a recommendation, I might have urged, I was entitled to make, in virtue of the doctrines laid down by Mr. Elphinston, Sir J. Carnac, and Sir George Arthur, who all maintained that the Guicowar should be guided by the friendly counsels and advice of the Resident; but, as the very words of the letter themselves prove, I never ventured to urge anything of the kind, conscious, as I was, that I did not then enjoy the countenance of my superiors to the same extent as was once my privilege. I simply expressed my opinion that I had a right, and clearly a moral right was implied, to be allowed, that is permitted, to exercise that licence of giving friendly advice to the Guicowar which I believed any other Resident in India would have exercised on his own responsibility; nay, in the words immediately following, I very distinctly explained that such was my meaning, by declaring that, should Government not concur with me in this view of the case, I should respectfully submit to their decision; that is, I declared that if Government did not conceive I had a right to be allowed to make such a representation to the Guicowar as should relieve me from the hostile procedure of his unprincipled minister, I would still do my best to maintain the interests and reputation of my Government.

69. The 7th para. of your letter under reply, thus communicates to me my removal from office: "The Governor in Council considers, that while labouring under such impressions as those by which you are by your own showing at present influenced, you cannot possess the tact, calmness of mind, and discretion indispensable to the maintenance, on a satisfactory footing, of the political relations of this Government with the Baroda Durbar, and that much embarrassment will ensue if you be permitted to remain there; I am therefore instructed to inform you, that your letter under review, taken in connexion with the previous correspondence, has convinced the Right honourable the Governor in Council, that it will not be for the advantage of the interests of Government that you should continue to represent them at Baroda; and it is therefore left to you to withdraw from the appointment you now fill in the manner least offensive to your own feelings, and least calculated to embarrass Government, or affect their amicable relations with his Highness the Guicowar."

70. It would not become me to attempt to meet a proposition of so general a nature, enunciated by a Government. As regards my "previous correspondence,"

spondence," I have shown, in the sections of my Khutput Report, which refer to Nursoo Punt and allied matters, that many of my letters, and some of these important ones, have never yet been answered; for the nature of the communication which on the 1st of October Government instructed you to address to me in reference to my Joitabhaee Report, makes me very solicitous that the Honourable Court, in judging as well of the tone as of the substance of my communications to Government, should not confine their attention to those *résumés* and expositions which Government may have prepared; and, in order that the Honourable Court may possess as full a statement as possible of the entire merits of that report, I am now preparing a respectful rejoinder to your reply thereon.

71. Equally anxious I am that my honourable masters should not judge of my despatch in reference to Mr. Andrews, solely from a perusal of your letter in reply to it.

72. Against the accusations on which his Lordship in Council has been pleased to base and justify my dismissal, I shall deem it my duty to appeal to higher authority. Against my removal from office, I make no appeal; I bow to it, as I do to every exercise of authority on the part of Government.

73. But I should signally fail in my duty to Government, did I not apprize them of certain consequences of this exercise of authority.

74. For some weeks past have the corruptionists been making open boast, that ere three months I should be either dead or removed from office, and measures for the successful practice of khutput at the Presidency have been carried on on a large scale, and with great industry. With various degrees of confidence, the boasts of the corruptionists continued till the evening of the very day on which your letter was dated, when the minister received an express despatch from the Presidency, communicating to him "a great triumph;" on the afternoon of that day the Guicowar had evinced considerable anxiety to meet my views by sending me the persons I wished to examine.* On the next morning his Highness was induced to send a kherita to his Lordship in Council, the meaning of which it is not difficult to understand; and that I had been actually dismissed, or was speedily to be dismissed for my anti-khutput labours, was, I have reason to believe, understood in the Durbar as soon as I myself became aware of the views of Government.

* *Vide Report of interview which accompanied my letter, dated 2d Oct., No. 221 B.*

75. The peculiar juncture of my dismissal, the circumstances that preceded it, must, I feel assured, be regarded by the natives of Baroda as proofs that the boasts of the khutputists had not been without foundation.

76. Of these boasts Government have long been aware; and they have been informed that the boasters have long been concocting a conspiracy and suborning evidence to be brought into play as soon as I should leave Baroda.

77. This conspiracy has now for weeks been hatching; this evidence has been reorganized, recast, increased, and modified, so that it shall be harmonious, circumstantial and conclusive; and the conspirators but wait the advent of a new Resident, and of the Commission they have been taught to look for, to avenge themselves on my memory, for all the alarm, inconvenience and expenditure of gold I have caused them; to injure those who have in any way aided or befriended me, and to bring utter ruin on Moreshwur, Fudkey and others.

78. The issue I can foresee; but though temporary success may probably attend the machinations of the conspirators, strengthened as they now are by what they cannot but regard as a signal triumph, I have such faith in God's moral government, that I look forward with confidence to the final discomfiture of their wicked designs, and that probably at no very distant date. Whether I may be spared to witness it, rests with Him in whose hands are the issues of life and death.

I have, &c.

(signed) J. Outram,
Resident.

(A.)

MEMORANDUM of Persons engaged in the Service of his Highness the Guicowar, now comprising the majority of the Durbar, who have been dismissed for Misconduct from the the Service of the Bombay Government.

1. SHUMBHOORUM KHOOSHAL, now kotval of the city, formerly employed in the Collector's Department at Broach, and afterwards in the Guzerat Irregular Horse at Ahmedabad, was discharged for misconduct from both situations.

2. Mahdowlal Gungaram, formerly Native Agent at Sadra, was dismissed for bribery; now conducts the Foujdaree business of the Durbar.

3. Nurseelal, of Putton, was employed at Pahlunpore, and dismissed by Captain Leekie for bribery; now conducts the Dewanee business of the Durbar.

4. Bappoo Shastree, of Surat, was discharged from Government service for misconduct connected with the case of Adaseir Dhunjeesha; is now Moonsiff of the Durbar.

5. Venaik Wanum Row Satted, formerly mamlutdar of Kheir, in the Poonah zillah, and dismissed therefrom for receiving bribes, is now personal kamdar to Bhow Tambekur, the minister.

6. Hurreelall Roodrumul, formerly Acting Native Agent of the Baroda Residency, was dismissed for concern in the Dhackjee Dadajee's intrigue; now receives a private allowance from, and is a Privy Councillor in, the Durbar.

7. Mahadew Row Narrain was employed in the Rajcote Agency, and dismissed by Major Lang for bribery; now holds a silledaree under the Durbar.

8. Bulvunt Row Bhagwut was formerly employed at Kolapoor, and discharged for misconduct; has obtained employment under the Durbar, at the recommendation of Nursoo Punt, conducts Dewanee business, and is a Counsellor of the Minister.

9. Dadoo Punt, formerly in the Residency, and discharged for misconduct, now kamdar of the Baroda Pergunnah.

(signed) J. Outram, Resident.

— No. 2. —

MINUTE by the Right honourable the Governor.

I HAVE carefully perused this lengthened letter; its style and general tone I consider objectionable; but as I am willing to allow much latitude to an officer placed on his defence, as Colonel Outram regards himself, I pass that by; but the arguments adduced appear to me untenable, the reasoning unsound, and the conclusions inconsequential and erroneous. If anything were wanting to convince me that the removal of Colonel Outram from the Residency at Baroda was a proper, and, indeed, an inevitable act on the part of our Government, this letter would be quite sufficient to supply that want.

2. Colonel Outram, indeed, labours to show that the intent and meaning of his former letter have been misunderstood by us; but his explanations seem to deal, for the most part, with non-essentials, and to leave all the more material parts of the grounds on which we based our measure untouched.

3. The first 18 paras. are filled with quotations from former proceedings, meant to show that Colonel Outram acted only according to precedents, and that our decisions and orders have been at variance with the policy of former Governments.

4. Even were the precedents in point, and were the policy we pursued towards the Guicowar Court different from that of our predecessors, this would be no justification of an officer addressing the Government he represents and serves in the terms of Colonel Outram's letter of the 31st October; but the precedents are not applicable to the present circumstances. We never overlooked the well-known fact, that the Guicowar is to appoint a minister, approved by the British Government, and none other; that the Guicowar is bound, in certain circumstances, to be guided by the councils of the British representative at his court. But what concern have these obligations on the part of the Guicowar with our refusal to call upon that Prince to dismiss his minister at the instance of our

our Resident? We have said that Colonel Outram must have formed a very incorrect idea of the relations between our Government and the independent Sovereign and friendly neighbour to whom he is accredited, when he sought to induce us to require the removal from office of that Prince's prime minister, solely because he (the Resident) had a bad opinion of the man against whom, nevertheless, he had brought no definite or specific charge. And what answer can it be to this, to show that the Guicowar is bound to comply with our requisition for the removal of his minister, if we please to make such a requisition.

5. We are all aware that Sir George Arthur's Government pressed upon the Guicowar very earnest remonstrances against the admission into his Durbar of councillors "who dared to call in question the honour and integrity of the British Government, by representing to his Highness that some of its highest functionaries could be influenced in their official acts by bribes." But in that case (the celebrated one of Dhakjæ Dadajee) it was the Guicowar himself who was alleged to have attempted, through his emissaries, to corrupt the British functionaries, and hence the very proper and decided intimation, that if such a line of conduct were pursued by an ally, the friendly relations existing between the States must cease. There is nothing parallel to this in the present instance. Colonel Outram has exonerated the Guicowar personally of any share in the misdeeds which he attributes to the minister. If the minister be proved to our satisfaction to have misconducted himself, and misused his power, so as to compromise our interests and those of his own Prince, or endanger the welfare and safety of the Guikwar State, then we would not hesitate a moment to call on the Guikwar to dismiss his obnoxious servant, and to conform himself to the advice of the British representative in appointing another. This point, however, Colonel Outram has never attained, and therefore I again repeat, that to have required the removal of the minister in the manner indicated and desired by Colonel Outram would not have consisted with the due preservation of the relations subsisting between the two Governments.

6. In his 19th and following paras. Colonel Outram attempts to show that he had brought definite and specific charges against the minister prior to his letter of the 31st October. But in that very letter he states, that up to that time he has been "constrained to meet the minister in his own fashion, to assume his own cordial demeanor, to express satisfaction for such trifling aid as from time to time, for appearance-sake, he has rendered, and to appear ignorant of his secret opposition." Further, in the same letter the Resident offers to transmit a memorandum exhibiting the hostile proceedings indulged in by the minister. "But," he adds, "I will not undertake to prove one word of my allegations while he remains in power." And more can hardly be required to justify our conclusion, from Colonel Outram's own words, that the removal of the minister was sought on no other grounds than those we have stated in our letter to the Resident of the 27th November.

7. It is scarcely necessary, perhaps, to notice the observations relative to the meaning of the term "Durbar;" I do not perceive that this word was ever misunderstood; it imports, I believe, much the same as *Porte* in Turkey, or *Cabinet* in England; it means the Government of a state or kingdom collectively, as distinguished from the head of that Government individually. *Durbar*, as I am informed, in ordinary acceptation, would not signify a minister or ministry exclusive of the sovereign, but the whole ministry, inclusive of the sovereign on whose name it acts.

8. Colonel Outram's defence in his 31st para. seems to me uncalled for. We never charged him with "willingly recommending any wanton and tyrannical act of aggression;" but we gave him as our reason for refusing to comply with his recommendation, that if not supported on stronger grounds than he had alleged, it would be regarded in that light. I have no doubt that Colonel Outram represents his real feelings, when he states, in his 33d para., "I felt that I should have failed in the duty I owe to the Guikwar had I not implored my Government to exercise its undoubted right for the purpose of saving from serious consequences an amiable, but weak-minded Prince." Colonel Outram may have conscientiously felt this, and yet have been mistaken; and when he adds, that for this conscientious act of duty he had been removed, he is decidedly in error, as I shall presently show.

9. The 36th and following paras. have been written apparently under a very extraordinary misconception of the observations we made relative to the Government circular of the 15th May 1850. We never intended to impugn the diligence or assiduity of Colonel Outram in the slightest degree. I am not aware that displeasure has ever been evinced towards him while at Baroda on account of any delay or any neglect in the business of his office whatsoever. We merely pointed out to him that he was not called upon, by the circular in question, to enter on laborious and difficult researches with the expectation of destroying amongst the people of this country the practice of seeking to compass their ends by indirect means or corrupt influences. And I confess I cannot readily understand how so simple a statement as this could be considered to imply a charge that Colonel Outram "had neglected other duties while preparing his Khutput Report."

10. In his 39th para. Colonel Outram denies that he has been influenced by any "wild and Quixotic expectation," such as is above described; but at the same time avows his hope that he might have induced Government to take steps requisite to disabuse the native mind of Baroda of the belief that high British functionaries could be bribed or influenced by improper considerations. "The ends" which the people at Baroda are supposed to seek to compass by indirect and corrupt means all refer to measures connected with the British Government; and, therefore, if there be any practical distinction between the "expectation" expressed in the Government letter, and the "hope" in that of Colonel Outram, it is too subtle to be easily distinguished.

11. I have but one more remark to make upon the contents of the first 39 paras. of this letter, and that is, that I fail to perceive any similarity between the circumstances which called forth the censure of Government upon Mr. Boyd in 1843, and those at the present time under consideration. Mr. Boyd was censured for "the apparent want of interest which he had evinced in the furtherance of the important objects Government had in view in prosecuting the inquiry," and for not possessing at the Gaekwar Court that influence which was essential to the performance of his duties. I am unable to detect any point of resemblance between the relative position of Mr. Boyd and the Government in 1843, and that of Colonel Outram and the Government in 1851.

12. I come now to Colonel Outram's 40th para., and the reasons which we have recorded for the removal of this officer from Baroda. We have distinctly informed Colonel Outram that these reasons are altogether distinct and apart from his Khutput Report, and its contents. We have told him most plainly that, "without entering into the question of corruption practised between Baroda and Bombay, we consider that, while labouring under such impressions as those by which, according to his own showing (in his letter of the 31st October), he is influenced, he cannot possess the tact, calmness of mind, and discretion indispensable to the maintenance on a satisfactory footing of our political relations with the Baroda Durbar. I pass, therefore, in silence over the 41st to the 48th paras. as they refer to the Khutput Report, which does not enter at all into the question immediately under consideration. Colonel Outram has not been removed because he advised us to call upon the Gaekwar to dismiss his minister; he has not been removed because he entered upon laborious researches regarding khutput, and framed a voluminous report upon the subject; but because he presumed to attach to that report a letter expressive of sentiments and feelings regarding the Government he was at the time representing, which we hold to be incompatible with the correct discharge of the duties of his office. We have told Colonel Outram, that so soon as we became aware that he had ceased to regard us as a Government with respect, and that, instead of looking upon himself, while the representative of the British Government at Baroda, as bound to act only as directed by that Government, and to carry out scrupulously those views, and those only which might be indicated for his guidance, he deemed himself endowed with some independent authority, to be exercised or not at his own pleasure; so soon, I say, as we became aware of these facts, we decided that he was no longer qualified to discharge satisfactorily the functions of his important office.

13. In his 51st para., Colonel Outram asserts that he never informed us that he had ceased to regard the Government with respect. Certainly Colonel
Outram

Outram has never ventured to say this in so many words; but if the narrative introduced into his letter of the 31st October of the steps he had taken to be removed from the control of the Bombay Government be considered in conjunction with the tone of that whole letter, no one, I apprehend, will entertain the least doubt of the fact; and it is a fact indeed which Colonel Outram does not deny, although he may truly say that he has never stated it in direct terms. To the further charge, however, to which he most emphatically pleads not guilty, that of "deeming himself to be endowed with some independent authority, to be exercised or not at his pleasure," I conceive Colonel Outram has *totidem verbis* laid himself clearly open. I quote from his own letter: "Had I been on those terms with my own superiors to which in former days I had the honour to be admitted, as well by the Local as the Supreme Government, I should at a very early date of my intercourse with the minister have pointed out to his Highness the necessity, for the honour of his own Raj, of selecting another adviser. In doing this, I should have done no more than any other Resident in India in a similar position would have deemed himself justified in doing." Again, "This is a position from which I conceive that I have a right to be allowed to relieve myself by the exercise of that authority which few other Residents would hesitate to exert."

14. Colonel Outram now declares that these passages were not intended by him to bear the meaning we have attached to them; that he meant only to express his opinion that "he had a right, a moral right, to be permitted to exercise that license of giving friendly advice to the Guicowar, which he believed any other Resident in India would have exercised on his own responsibility."

15. If Colonel Outram meant no more than to enunciate this obvious truism, I can only regret that he should have expressed himself so obscurely; the plain meaning of the passages I have cited is, that the Resident considered himself invested with an authority to advise or even compel the Guicowar to remove his minister upon his own responsibility, as his own act, without the previous direction and sanction of the Government he represents; this is the sense in which we have read those passages; and the elaborate defence into which Colonel Outram has entered, the greater part of which is wholly irrelevant, has failed to convince me that they could have been read reasonably in any other.

16. Upon the remainder of Colonel Outram's letter I will make but little comment. Embarrassing consequences may possibly follow from Colonel Outram's sudden removal from Baroda; but if such should be the result, it is Colonel Outram himself who has forced upon us the necessity of removing him, upon whom those consequences must be charged. The picture drawn of the present state of affairs among the people, and at the court of Baroda, is, I think, exaggerated; but whether accurate or not, we may have sufficient confidence in the successor whom we have appointed in Colonel Outram's place to believe that the interests of neither State will suffer any permanent injury therefrom.

17. I record these remarks for the information of the Honourable Court, to which authority I should wish the letter under notice, together with our observations on it, to be transmitted by the next mail; but I do not consider it necessary to make any further communication to Colonel Outram.

(signed) *Falkland.*

26 January 1852.

— No. 3. —

MINUTE by the Honourable Mr. *Blane.*

I SEE nothing in Colonel Outram's present letter to alter the view previously taken of his proceedings.

2. It is mainly, indeed, a recapitulation of the unsupported assertions and greatly overstretched conclusions contained in his former communications.

3. The proceedings in the late Mr. Boyd's time are adverted to in his justification; but the inquiry on that occasion was instituted under express instructions

tions from Government, the source from which alone measures of such delicacy should emanate, and was directed to a specific allegation; whereas the extracts from his former correspondence, now quoted by Colonel Outram as showing the cause of complaint against the present minister, can, I think, be read by no one as containing more than the most vague and general accusations.

4. In the tone of the present letter throughout there is, moreover, the strongest confirmation of an excited and irritable state of mind absolutely incompatible with the retention of an appointment in which he has permitted his personal feelings to place him in so irretrievably false a position both towards Government and the Durbar to which he is accredited.

5. On the general question of the belief in "Khutput," he would seem to argue that this belief has been fostered at Baroda by Government withholding its support from the Resident. Such an inference is not, however, supported by the principal examples adduced in illustration. In the instance in the time of Mr. Boyd, the Resident was blamed for not having acted up to the instructions of Government, and in the more recent case of Joetabhaee the same functionary is alleged to have been deceived, and, in consequence, to have misled Government, as attributed by Colonel Outram to Captain French. But supposing Colonel Outram to believe in the origin he assigns to the popular conviction of the efficacy of khutput, it ought to be evident to him that his placing himself in direct and unbecoming opposition to Government could only result in his exposure of such want of concert as inevitably to afford strength to what he pretends to be seeking to eradicate.

6. The real motive by which he has been actuated is at the same time but too apparent. As subsequent events have shown the censure conveyed in the Government Letter, date 12th January 1849, relative to his aspersions on the character of "Nursoo Punt," was in some measure unmerited; but this can in no way justify such unrestrained indulgence in the animosity conceived in consequence towards Government, and his "*locum tenens*," Captain French; that the cases of Nursoo Punt, Joetabhaee, and Baba Fudkey, have been got up as his stalking-horses for recrimination, is disclaimed by him in para. 38; but although the cases in question were doubtless of a nature to have been forcibly represented, the tone of attack and exaggeration in which his correspondence has been couched is wholly extraneous to matters of business, divested of the bias of personal feeling.

7. I quite concur in thinking any further communication to Colonel Outram to be unnecessary. Any detailed comments on the several topics reverted to in his present letter are also, in my opinion, uncalled for. Everything deserving of notice appears to me to have been disposed of by our former Minutes; but as these are spread over a very voluminous correspondence, an office summary, placing the whole in a more connected form, should, I would suggest, be prepared as an accompaniment to the communication to be now made to the Honourable Court.

(signed) *D. A. Blane.*

27 January 1852.

— No. 4. —

MINUTE by the Honourable Mr. *Bell.*

THE above Minutes so entirely embrace my views on Colonel Outram's present letter, that I shall not detain the papers further than to express my fullest concurrence in them.

(signed) *A. Bell.*

27 January 1852.

— No. 5. —

MINUTE by his Excellency the Commander-in-Chief.

As I am ignorant (being absent from Council) of the cause which influenced my honourable colleagues to dismiss Colonel Outram from the appointment of Resident at Baroda, I can have no opinion on the policy of that measure.

(signed) *J. Grey.*

28 January 1852.

— No. 6. —

FURTHER MINUTE by the Right honourable the Governor, concurred in by the Board.

My Minute of the 26th instant may now be acted on, and these papers forwarded to the Honourable Court, with the summary proposed by Mr. Blane.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

28 January 1852.

(True extract.)

(signed) A. Malet,

Chief Secretary.

36.

Collection No. 1 of No. 33, Bombay Political Department,
Letter from, dated 15 March 1852.

Memorial from Lieutenant-colonel *Outram*, late Resident at Baroda.

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Bombay Castle, 15 March 1852.

(signed) *A. Malet*,
Chief Secretary.

— No. 1. —

EXTRACT, Bombay Political Consultation, 5th March 1852.

No 1,164. From Lieutenant-colonel *J. Outram*, C.B., late Resident at Baroda, to
A. Malet, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to request that you will submit to the Right honourable the Governor in Council the enclosed Memorial, with its accompaniments,* with a view to its being transmitted to the Honourable the Court of Directors.

2. The memorial is in conformity with the Standing Orders on the subject, sent in triplicate, and to each copy of the memorial the same accompaniments are appended.

3. These

* Parts I. and II. of Khutput Report, with transmitting letter, dated 31st October 1851. Part III. of ditto, with transmitting letter, dated 13th January 1852, with Appendices A., B. and C.

3. These accompaniments are simply copies of documents which have already been submitted to Government (with the exception of a short postscript to section 2, of Part II. of my Khutput Report, which was added on the 10th ultimo), and a draft of the memorial itself has been upwards of a month under its consideration, being incorporated in the concluding section of Part III. of my Khutput Report, forwarded with my letter, dated 13th ultimo ; such being the case, I trust his Lordship in Council will not deem it necessary to delay the transmission of the memorial.

I have, &c.

(signed) *J. Outram*, Brevet Lieut.-colonel,
Late Resident at Baroda.

Bombay, 12 February 1852.

The humble MEMORIAL of Brevet Lieutenant-colonel *James Outram*, C. B.

To the Honourable the Court of Directors of the East India Company, London.

The humble Memorial of Lieutenant-colonel *James Outram*, C. B., late
British Resident at the Court of Baroda,

Humbly prayeth,—

1. THAT your memorialist approaches your Honourable Court with unfeigned respect, and with that gratitude which becomes him as the recipient of unvarying kindness and consideration at the hands of your honourable body.

2. That your memorialist, as is known to your Honourable Court, has, for upwards of 32 years, served the East India Company both in military and political capacities. During that period he has for the most part, if not on all occasions, successfully carried out the duties assigned to him, and it has been his good fortune to receive many marks of approbation and distinction from his superiors, both civil and military.

3. That in the year 1847, your memorialist was, through the kindness of Sir George Clerk, G. C. B., at that time your Governor of Bombay and its dependencies, appointed to the office of British Resident at the Court of his Highness the Guicowar of Baroda, an office which, as is well known to your Honourable Court, is one invested with much dignity and deep responsibilities.

4. That your memorialist accepted the appointment with peculiar satisfaction. It located him in a portion of your empire, where in former days he had been enabled to render services to his honourable masters ; and it again brought him into intercourse with a people whose best interests he had earnestly laboured to promote.

5. That when last your memorialist had served in Guzerat, his charge was the Mhyecanta, a province which was then suffering under evils and disasters that had long afflicted it ; and your memorialist remembered, with what, he hopes, will be considered a legitimate pride, that he had himself been a participator in those proceedings which had tended to ameliorate its condition ; he had exerted his humble energies in suppressing a lawlessness which had long defaced those tributary Guicowar districts ; he had organized from out of the Kolie tribe of plunderers an efficient police corps for the maintenance of order within the neighbouring British districts ; and, in subordination to the higher political officers employed in Guzerat, he had sedulously laboured to remove one principal source of those evils which had so long afflicted that country.

6. That the source of evil to which your memorialist refers, was the constitution of the native political establishments of the province. These establishments were filled by corrupt men, who not only were on all occasions ready to betray the trust reposed in them, and to sell their services to the highest bidder, but who represented themselves as possessing such an influence with men in authority at the Presidency, as would enable them to upset the just and upright decisions of the local officers, when these decisions were adverse to the claims of their clients. It was therefore their interest to sow dissensions throughout

the country ; to encourage litigation ; to impress the inhabitants with a contempt for the authority of the gentlemen placed over them ; and to promote disobedience to, and appeal from, the arrangements and judgments of the latter.

7. That severe was the struggle which your local officers had to engage in with the corruption thus engendered, and arduous were their labours to uproot the dishonouring belief which obtained throughout the province, that the highest Government officials were accessible to improper influences. In that struggle, and in these labours, your memorialist had the honour to bear a humble part, and when in 1838, his military duties called him away to a distant sphere of action, he took his departure in the confident hope that at last the Bombay Government would acknowledge the necessity of aiding its zealous, but harassed provincial subordinates, and that brighter days were about to dawn on Guzerat ; and the information subsequently received encouraged him to believe that his sanguine expectations had been realized.

8. That when, therefore, he was appointed to fill the office of Resident at the Court of his Highness the Guicowar, your memorialist anticipated that he was about to enter on an extensive field of usefulness ; and, emulous of the peaceful triumphs achieved by his friend, guide and counsellor, Colonel John Sutherland, he indulged in many visions of benefits to be conferred on the Prince and people of Baroda.

9. That your memorialist's visions of usefulness were not destined to be realized. Before he could mature his plans, he had reason to believe that the corruption which in former days he had helped to combat, was not extinct, and that the popular belief in the accessibility of high officials to improper influences still survived.

10. That the more he laboured, and the further he carried his inquiries, the more forcibly was the distressing conviction impressed on his mind ; and he saw, that till a more wholesome moral tone, and a more just political creed, were brought into play and acceptance, vain would be all his efforts to promote either the mental or material interests of the people.

11. That it was his duty, as it was his cherished and earnest desire, to confer on Guzerat some of those blessings which, through the philanthropic zeal and energy of the late Colonel John Sutherland, had been scattered over Rajpootana ; but, apart from the consideration that it was useless to attempt administrative reforms, while a general belief existed that his plans could be frustrated by those who desired to do so, by purchasing corrupt aid at the Presidency, your memorialist felt that his first duty was to the Government he represented.

12. That, to vindicate the uprightness and purity of the British rule, by securing justice to such as were entitled to British protection ; to search out, expose and punish those whose corrupt practices had perpetrated aspersions on the British name ; to extirpate the dishonouring belief that the highest British officials are capable of corrupt practices ; these appeared to your memorialist important and primary duties. They appeared to him duties, the non-performance of which, would be criminal in him as the British representative, and disgraceful in him as a British subject.

13. That, influenced by these views and feelings, your memorialist has laboured long and strenuously to effect a change in the sentiments with which your Government of Bombay is, and for years has been, regarded at Baroda ; but his labours have been unsuccessful.

14. That the circumstances which have contributed to their nonsuccess, are copiously detailed and illustrated in the second part of the Report on "Khutput," which, with its transmitting letter, dated 31st October 1851, is annexed to this memorial ; while in the first part of that report are enumerated certain passages in the political history of Guzerat, which your memorialist hopes will satisfy your Honourable Court that he has by no means exaggerated the evils he deplures, nor overestimated the strength of the foundations on which they rest.

15. That the report in question was compiled in the earnest hope that the revelations it contained would induce the Bombay Government to afford to your memorialist that aid in the prosecution of his arduous labours which they had hitherto not seen fit to render him, and to extend to him that visible sympathy and encouragement, the absence of which had, in connexion with antecedent circumstances, led the native public of Baroda to believe those traders in corruption who represented to them that your memorialist's efforts to vindicate the purity of British justice were viewed with disfavour and alarm by his superiors.

16. That your memorialist was disappointed. The Bombay Government caused intimation to be made to your memorialist, on the 27th of November 1851, that the letter which accompanied his report had satisfied your Governor in Council that it was not to the advantage either of the British or the Guicowar Governments that he should continue to hold the post of the British representative at Baroda.

17. That against his summary removal from an office in which he had hoped to render further and important services, your memorialist does not presume to appeal to your Honourable Court; he recognizes in it an exercise of an authority to which it is his duty to bow in silence; but your memorialist feels himself not only justified, but bound to submit to your Honourable Court a respectful appeal against the accusation on which the Bombay Government have based and justified his removal.

18. That to these accusations your memorialist respectfully replied in a letter to the Chief Secretary of the Bombay Government, dated 15th December 1851. That letter your memorialist has embodied in the last of those supplementary sections, forming Part III. of his annexed report, in which he has summarized his proceedings in respect of khutput, between the date of his report and his removal from office; and to this vindication of himself from the accusations preferred against him by his superiors, your memorialist would respectfully crave the attention of your Honourable Court.

19. That since your memorialist transmitted to the Bombay Government his letter of the 15th December 1851, deprecating those accusations on which his removal from office was based and justified, he has been informed that the measures adopted by Governor Sir G. Arthur, by which your memorialist had principally been guided in his proceedings, did not meet with the approbation of your Honourable Court.

20. That if such be the case, no record thereof stands on the records of the Residency; and while your memorialist saw the views and communications to the Guicowar, which were adopted by so experienced and distinguished an administrator as Sir George Arthur, apparently unobjected to, he naturally concluded that, in urging his Government, under circumstances of no ordinary embarrassment and difficulty, to adopt, in modified form, the policy of that officer, he was urging nothing incompatible with propriety, or with the wishes of the Honourable Court.

21. That your memorialist most solemnly declares that, while he deemed it his duty to state the case in its entire nakedness before your Government of Bombay and your Honourable Court, he laboured to his utmost to divest his "Khutput," as well as all his other reports, of aught that could be considered disrespectful. He desired to tell the truth; but it was his endeavour to do so in the manner least calculated to give offence, and he sought the aid of several official friends to enable him to carry out that object.

22. That if, enjoying this aid, your memorialist has failed, he would entreat your Honourable Court to attribute the failure to its true cause, a strong sense of duty, and an inability to soften without diluting truths, which he deemed it his bounden duty to present in unweakened form.

And your Memorialist, as in duty bound, will ever pray.

(signed) *J. Outram*, Brevet Lieut.-colonel,
Late Resident at Baroda.

Bombay, 12 February 1852.

Memo.—The Appendices to Lieutenant-colonel Outram's Memorial form a separate collection.

— No. 2. —

No. 1,165.

MINUTE by the Right honourable the Governor, concurred in by the Honourable Messrs. *Blane* and *Bell*.

THE receipt of the memorial to be acknowledged, and Colonel Outram to be informed that it will be transmitted to the Honourable Court of Directors in due course.

Colonel Outram should be informed, that the accompaniments to his memorial are Government records, and, as such, cannot be kept by him. Should he have in his possession transcripts of them, or of any other Government records, he should make them over to the Chief Secretary to Government immediately on the receipt of this order.

12 February 1852.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

— No. 3. —

No. 668 of 1852.—Political Department.

No. 1,166.

From the Chief Secretary to Government, Bombay, to Lieutenant-colonel *J. Outram*, C.B., Bombay.

Sir,

I AM directed by the Right honourable the Governor in Council, to acknowledge the receipt of your letter dated the 12th instant, and to inform you, that the memorial therewith submitted will be forwarded to the Honourable the Court of Directors in due course.

2. As the accompaniments to your memorial are Government records, I am directed by the Right honourable the Governor in Council to request, that if you have in your possession transcripts of those documents, or of any other Government records, you will make them over to me immediately on the receipt of this letter.

Bombay Castle, 13 February 1852.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

— No. 4. —

No. 1,268 A.

From Lieutenant-colonel *J. Outram*, C.B., to *Arthur Malet*, Esq.,
Chief Secretary to Government.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 688, of this date, in reply to my communication of yesterday, transmitting my memorial for submission to the Honourable the Court of Directors, wherein you are directed by the Right honourable the Governor in Council to request, that if I have in my possession any transcript of the accompaniments to that memorial, or of any Government records, I will make them over to you immediately on receipt of your letter.

In reply, I beg leave most respectfully to represent, that as the documents referred to are merely copies or extracts from originals which are among the records of Government, and as I consider them to be essential to my exculpation and defence, in the measures I anticipate to be necessary on my arrival in England, both as enabling me to reply satisfactorily to questions I may expect to be put by the Honourable Court, to whom my appeal is addressed, as well as to clear my character with my personal friends, I trust his Lordship in Council will be pleased to re-consider his directions, as contained in your letter under
acknowledgment,

acknowledgment, and not deprive me of papers which can, as above shown, be of no value or importance to him, but which are of vital consequence to me, as without them I shall be totally deprived of the means of defending myself.

I have, &c.

Bombay, 13 February 1852.

(signed) *J. Outram,*
Brevet Lieut.-Colonel.

— No. 5. —

MINUTE by the Right honourable the Governor.

No. 1,268 B.

WE will not insist on Colonel Outram complying with our request as to the surrender of these papers; but we should report the circumstance for the information of the Honourable Court. Colonel Outram should be apprized accordingly.

14 February 1852.

(signed) *Falkland.*

— No. 6. —

MINUTE by the Honourable Mr. *Blane*, concurred in by the Honourable Mr. *Bell*.

No. 1,268 C.

I HAVE no objection, on the condition of Colonel Outram promising not to publish, or permit the publication of, the extracts from the official records without the permission of the Honourable Court.

14 February 1852.

(signed) *D. A. Blane.*
A. Bell.

— No. 7. —

No. 710 A. of 1852.—Political Department.

From the Chief Secretary to Government, Bombay, to Lieut.-colonel *J. Outram*, C.B. No. 1,268 D.

Sir,

I AM directed to acknowledge the receipt of your letter, date 13th instant, and to inform you, that, in compliance with your request, the Right honourable the Governor in Council refrains from requiring you to give up the copies of the official documents which form the accompaniments to your memorial to the Court of Directors.

The circumstances will be reported to the Home Authorities; and I am directed to inform you, that you will not be at liberty to publish or circulate, without having obtained the express permission of the Honourable Court, those documents, or extracts from them.

I have, &c.

Bombay Castle, 15 February 1852.

(signed) *A. Malet,*
Chief Secretary.

— No. 8. —

MINUTE by the Right honourable the Governor.

THE memorial which Lieutenant-colonel Outram, C.B., has addressed to the Honourable the Court of Directors, should be transmitted for the consideration of that authority in the usual manner.

2. To the memorial is attached a mass of voluminous accompaniments, some of which are unnecessary, and others objectionable as documents to be used by an officer in Lieutenant-colonel Outram's present position. But I am unwilling to offer the slightest opposition to the transmission of any papers which the

memorialist may consider to be required in his own vindication; and I therefore propose to allow the whole to pass on to the Honourable Court in the same form as submitted to ourselves.

3. In the memorial before us, Lieutenant-colonel Outram, after reciting in general terms his services, refers particularly to his former charge of the Mhye Caunta, where he participated in measures carried on for the amelioration of the wild Kolee population of that district. The source of the evils afflicting the Gaekwar tributary States at that time is ascribed by Lieutenant-colonel Outram to the corruption prevailing among "the native political establishment," a set of men through whose acts a dishonouring belief is said to have obtained throughout the country, that the highest officials of the British Government were accessible to improper influence. Such Lieutenant-colonel Outram avers was the condition of affairs in the province in the year 1838, when he left it; and on his return in 1848, as Resident at Baroda, he found, as he states, the corruption which in former days he had helped to combat, not extinct, and the popular belief in the accessibility of high officials to improper influence still surviving.

4. Lieutenant-colonel Outram then describes the feelings with which he entered upon his duties at Baroda, and the earnest wish he entertained "to confer on Guzerat some of those blessings which the philanthropic zeal of Colonel Sutherland has scattered over Rajpootana." But first he desired "to vindicate the uprightness and purity of the British rule by securing justice to such as were entitled to British justice; to search out, expose and punish those whose corrupt practices had perpetrated aspersions upon the British name; and to extirpate the dishonouring belief that the highest British officials are capable of corrupt practices."

5. Influenced by these views and feelings, Lieutenant-colonel Outram proceeds to recount the manner in which he laboured, and the Report on "Khutput," which he drew up in the earnest hope that its revelations would induce the Government of Bombay to aid him with visible sympathy and encouragement, the absence of which have led the people of Baroda to believe that his efforts to vindicate the purity of British justice, were viewed with disfavour and alarm by his superiors.

6. The disappointment of the memorialist follows, when he received an intimation that the Bombay Government were satisfied it was not to the advantage of the State that he should continue to hold the post of Resident at the court of Baroda. To this removing from office, as an act of lawful authority, Lieutenant-colonel Outram professes respectful submission; but he appeals against the "accusations" on which he alleges the removal to have been "based and justified;" and he craves particular attention to the remonstrance he has preferred, disclaiming all intentional disrespect to the Government of Bombay, and declaring himself to have been actuated only by "a strong sense of duty, and an inability to soften, without diluting, truths which he deemed it his bounden duty to present in unweakened force."

7. This is the memorialist's case upon his own showing, and I have traced the course of the arguments of the memorialist from the beginning to the end, because it appears to me to carry within itself the evident proof that Lieutenant-colonel Outram never correctly understood his proper position as Resident at the Court of his Highness the Gaekwar, nor appreciated accurately the nature of the duties and responsibilities which that office imposed; and that hence he has been led into that course of conduct which rendered his removal a necessary and inevitable act on the part of the Government.

8. Of Colonel Outram's character and services we are not called upon here to speak at any length; his services we acknowledged to have been distinguished, and his merits great, though we cannot altogether admit that he has always and on all occasions "successfully carried out the duties assigned to him." In our recent proceedings we have not been unmindful of Lieutenant-colonel Outram's high character and standing; we have forborne so long as forbearance was possible; and it has been with extreme regret that at length we have found ourselves imperatively compelled to adopt the measure which forms the subject of this memorial.

9. We have now no concern with the state of the Mahee Kanta, 15 or 20 years ago; and I cannot perceive the relevancy of the operations then carried on to check the evils with which the country was afflicted, to any of our recent proceedings connected with the Baroda Residency.

10. Nor is it material to examine the grounds on which Lieutenant-colonel Outram indulged in the "visions" he describes of "benefits to be conferred" through his instrumentality "on the Prince and people of Baroda." That the people of the Gaekwar's territories may be suffering from the evils of bad government is very possible, though we have no reason to suppose that such evils exist in any aggravated shape; it is equally possible, nay probable, that corruption has been largely prevalent at the court of the Gaekwar, and that it still prevails, though no evidence has yet been produced to show that such corruption is more widely spread there than in other native courts of India. But the British Resident is not placed at Baroda as a governing power, nor is it consistent with his duty to interfere with the actual government of the country, further than by exercising a personal influence, which may enable him, without direct and visible interference, to sway the councils of the Durbar for the benefit of the people and the interests of the British power which he represents. Undoubtedly it is the duty, and a primary duty, of the Resident at every native court "to vindicate the uprightness and purity of the British rule by securing justice" to all within the sphere of his influence; but it is not a part of the duty of any Resident "to search out, expose and punish" any evil-doers under a foreign jurisdiction. If "aspersions are perpetrated on the British name," the Resident is to notice and refute them with becoming dignity; but he is not to suffer his name or that of his Government to be allied with that of any party, or used for any party purpose; and he exceeds the limits of his authority when he endeavours to "extirpate" by any forcible means any such popular belief as Lieutenant-colonel Outram describes to be in existence at Baroda, against which he deemed it his duty openly to contend.

11. Admitting this popular belief to have prevailed at Baroda in all the intensity asserted, it was obviously the Resident's duty to have consulted his Government upon the subject, in the first instance, and to have sought its direction for his guidance. A Resident, as the representative of the Government, is not free to act otherwise than as directed by that Government; he is bound to refer himself on all occasions, where it is practicable, for the orders of his Government, and to carry out those views and those only which may be indicated for his guidance; and as Lieutenant-colonel Outram, in the exposition he has put forward of his feelings and sentiments, clearly evinces a very different sense of the duties he had to discharge, and the responsibilities he incurred, nothing more can, I think, be required to prove that this officer, however distinguished he may have been in other situations, had ceased to be qualified longer to carry on with advantage to the state the duties of the post from which he has just been removed.

12. To frame the Khutput report was a duty imposed on Lieutenant-colonel Outram by our Circular Orders of the 15th May 1850, and it will receive our fullest consideration in its proper time and place. But the imputation implied in the memorial, that the presentation of that report caused the author to be removed from his office, calls for our emphatic contradiction. I repeat from my Minute of the 26th of January last, that "Colonel Outram has not been removed because he entered upon laborious researches regarding Khutput, and framed a voluminous report upon the subject; but because he presumed to attach to that report a letter expressive of sentiments and feelings regarding the Government he was at the time representing, which we hold to be incompatible with the correct discharge of the duties of his office."

13. Lieutenant-colonel Outram deprecates, it will be observed, the idea of appealing against his removal from office as a mere exercise of our legitimate authority, but addresses his remonstrance against the "accusations" put forth in justification of that removal. It is almost unnecessary to observe, that in communicating to Colonel Outram our reasons for calling upon him to resign his office, we deemed ourselves to be performing only an act of justice towards that officer; had we summarily removed him without assigning our reasons, he might, and not improperly, have complained of such silence; and I cannot but

regard it as a fresh instance of disrespect to our authority on the part of the late Resident, that he presumes to characterize our reasons, thus communicated, as accusations, and to suppose that it was intended or required that we should enter into a justification of our acts, when intimating our orders to our own officer.

14. We cannot recognize this nice distinction between the acts of our authority and the motives which induced it; and again I emphatically repeat, that among those motives, the presentation of the Khutput report had no place. We have not been unwilling to receive the truth presented to us "in undiluted form or undiminished force," but we have refused to accept as truth what only reaches to suspicion; to attempt to grasp what is intangible, or to deal with shadows, as if they were proved realities. All our proceedings have been duly reported to the Honourable Court, and we may safely leave it to the judgment of that authority to determine whether there is the slightest ground, in justice or in reason, for Lieutenant-colonel Outram's complaint, that we have failed to render to him any "aid in the prosecution of his arduous labours," or to extend to him any "sympathy or encouragement" which it was proper for him to require, or for us to grant.

15. In conclusion, I may remark, that I do not rightly apprehend the meaning of that passage in the last paragraph but one of the memorial, in which Lieutenant-colonel Outram asserts, that "he sought the aid of several official friends to enable him to carry out the object" of divesting his reports of aught that was disrespectful. We have not charged Colonel Outram with disrespect in any of his reports, though I am far from deeming that we had no ground for doing so, but only in his letter of the 31st October 1851, and if in this he was assisted by any official friends, we can only regret that his advisers were not men of sounder judgment and more correct feeling.

16. I will only add, that the summary of our proceedings mentioned in my Minute of the 28th January, and originally proposed by Mr. Blane, should be carefully prepared, to accompany these papers to the Honourable Court.

(signed) *Falkland.*

28 February 1852.

— No. 9. —

MINUTE by the Honourable Mr. *Blane*.

ADVERTING to para. 12 of the above Minute, I consider Lieutenant-colonel Outram's removal to have been forced upon us by his persisting in proceedings dictated by the sentiments evinced in the letter attached to his "Khutput" report, and not solely by the inditing of that letter. With this remark, I have only to express my entire concurrence in the observations of the Right honourable President.

(signed) *D. A. Blane.*

28 February 1852.

— No. 10. —

MINUTE by the Honourable Mr. *Bell*.

THE observations contained in these Minutes so entirely embrace my own views on the subject therein discussed, that it only remains for me to record my fullest concurrence in them.

(signed) *A. Bell.*

28 February, 1852.

— No. 11. —

FURTHER MINUTE by the Right Honourable the Governor.

THESE proceedings should now be forwarded to the Honourable Court without delay.

(signed) *Falkland.*

29 February 1852.

— No. 12. —

SUMMARY.

Banking Firm of Hurree Bhugtee, of Baroda.—Case of the Bond fraudulently substituted.

[*Note.*—These proceedings were reported to the Honourable the Court of Directors in para. 47 of Political Despatch, dated 17 September, No. 70 of 1851.]

PARA. 1. IN a letter dated the 30th July 1850, Lieutenant-colonel Outram addressed Government on the subject of his charge against the banking firm of Hurree Bhugtee, of Baroda, having substituted a cancelled or liquidated bond, bearing exorbitant interest, in the place of an acknowledgment of the balance of a subsequent debt, brought to account 10 years later.

2. The Right honourable the Governor, in a minute dated the 11th November 1850, reviewed the past proceedings of Government in this case, and requested the opinion of his colleagues, whether the present head of the firm of Hurree Bhugtee being a minor, it would be proper to hold the firm answerable for the acts of Baba Nafra, their managing agent.

3. The Honourable Mr. Willoughby, in a minute dated the 16th November 1850, observed, “I think the final decision on the question of this guarantee had better be postponed until the Resident’s expected report regarding the misconduct of Baba Nafra is before us. He is an unprincipled man, and although, strictly speaking, the firm is answerable for the deeds of its managing agent, the head of the firm is an infant.”

4. In a minute dated the 25th November 1850, the Honourable Mr. Blane recorded his sentiments at length on the whole case, and concluded by observing, “I cannot but view the tone of Colonel Outram’s remarks as most disrespectful to Government, but as they relate to proceedings anterior to my becoming a member of the Board, it would perhaps be out of place for me to attach more weight to this point than the then members may deem it to deserve.”

5. In conformity with a resolution finally passed by the Board, Lieutenant-colonel Outram was, on the 2d January 1851, informed in reply to this letter, that the decision of Government in this case would be deferred, pending the receipt of his report regarding the misconduct of Baba Nafra, the gomashtha of that firm.

Nursoo Punt.—Remonstrance by Colonel Outram against the decision of Government, with reference to his charges of fraud against Nursoo Punt, in the case of Gorajee Pol and Govindrow Gaekwar.

[*Note.*—These proceedings were reported to the Honourable Court in Political Despatch dated the 17th February, No. 19 of 1852.]

6. IN a letter dated the 7th September 1850, Lieutenant-colonel Outram remonstrated against the decision of Government, which, during his absence on sick leave in Egypt, had been communicated to his *locum tenens*, Captain French, on the 4th January 1849, authorizing him, for the reasons therein stated, to give Nursoo Luxmon the option of withdrawing the application he had preferred on the 9th September 1848, for permission to retire from the public service on a superannuation pension; also appealing against the decision contained in the Government letter of the 12th January 1849, to the address of Captain French, on the allegation of corrupt conduct, which had been advanced

by Lieutenant-colonel Outram against Nursoo Luxmon, in the cases of Gorajee Pol and Govind Row Gaekwar.

7. In a minute dated the 15th November 1850, which was concurred in by Sir Willoughby Cotton, Commander-in-Chief at this Presidency, the Right honourable the Governor reviewed *seriatim* each of the points urged by Lieutenant-colonel Outram in this letter, in defence of the allegations he had advanced, previous to his departure for Egypt, against Nursoo Punt, and his Lordship concluded with the following remarks: "I have now briefly gone through Colonel Outram's remarks, but I consider the mode in which he has brought the matter under our notice to be very objectionable; he should have reported the case *de novo*, clearly stating the causes of his suspicions against Nursoo Luximon, and any additional grounds for them that may have been established since his original communication on this subject. As he has not done this, I am compelled to assume that he is unable to urge such as would satisfy Government of the native agent's delinquency. The general tone of Colonel Outram's letter, No. 207, is so highly reprehensible, that I am influenced solely by a sense of his public services, and deservedly high reputation, in making no further observation upon it than that it will as a matter of course be transmitted, according to his expressed wish, to the Honourable Court with the rest of our proceedings in this matter, and that I leave it for the consideration of that authority."

8. The Honourable Mr. Willoughby, in a minute dated the 21st November 1850, remarked as follows, with reference to the contents of this letter: "I regret that Lieutenant-colonel Outram has re-opened this case. I would at present, however, merely inform him, that his letter will be considered and replied to, when his further promised report, on fresh charges against his native agent, is received. I suggest this course, for if censure is due to that officer, I would not communicate it at a moment when such inquiries are in progress, and thereby erroneously lead him to suppose that we view such inquiries with disapprobation, and check his laudable zeal in exposing the corruption which, in good faith, he believes to have for many years past existed at Baroda. Such a duty is always irksome and painful, but the man who undertakes it is always deserving of all the countenance and support Government can, with propriety and perfect justice to the accused, bestow."

9. After stating, in a minute dated the 25th November 1850, his views generally, upon the arguments advanced by Lieutenant-colonel Outram in the letter under notice, the Honourable Mr. Blane observed as follows: "On the character of Colonel Outram's remarks I have already offered my opinion in the minute above referred to. I would further only observe, with advertence to the wording of para. 20 of the Right honourable President's minute, that the 'expressed wish' that his letter and accompaniments may be sent to the Honourable Court, appears to me the portion the most markedly objectionable, perhaps, of his communication. The papers will be forwarded to the Honourable Court, but certainly not 'according to his expressed wish,' the irregularity of which ought, on the contrary, I conceive, to be specially noticed to him."

10. In a further minute, dated the 24th December 1850, the Right honourable the Governor observed as follows: "While I adhere to the opinion expressed in my minute of the 15th November, regarding the tone of Lieutenant-colonel Outram's letter, and the intimation that ought to be made to him, I have no desire that the censure I wish to be conveyed should be sent at this moment, and shall not object to its communication being deferred. Adverting to para. 4 of the minute of my honourable colleague, Mr. Blane, I would explain, that when I said Colonel Outram's letter would be transmitted as a matter of course, 'according to his expressed wish,' I did not mean in consequence of, or in compliance with that wish, which, I agree with Mr. Blane, ought not to have been urged; especially in the manner in which Lieutenant-colonel Outram has brought it forward. This minute was concurred in by the Board, and Lieutenant-colonel Outram was informed, on the 2d January 1851, that the sentiments of Government on his letter would be communicated to him after the receipt of his further promised report on fresh charges against Nursoo Punt."

Case of Venayek Moreshwur Phurkey.

[These proceedings were reported to the Honourable the Court of Directors in Political Despatch, dated the 1st October, No. 85 of 1850.]

In a letter dated the 22d June 1850, Lieutenant-colonel Outram, in continuation of a correspondence which had passed between Government and himself previous to his proceeding to Egypt, brought to the notice of Government acts of oppression which, he stated, had been exercised by the Baroda Durbar against Venayek Moreshwur Phurkey, and solicited the revocation of the "unjust decision of Government," declining to interfere in the case.

12. With reference to this letter, the Right honourable the Governor, in a minute dated the 18th August 1850, observed, "I regret that Lieutenant-colonel Outram has revived this question, more especially as I cannot but regard his letter to Government as intemperate and indiscreet; I would inform Lieutenant-colonel Outram that our former decision in this case is to be deemed final, and that we see no reason whatever for the interference of our Resident between this individual (Phurkee) and his Highness the Gaekwar."

13. The Honourable Mr. Willoughby, for reasons which he mentioned in a minute dated the 20th September 1850, dissented from the above view, and considered that "the case should, as proposed by Lieutenant-colonel Outram, be fully investigated."

14. The Honourable Mr. Blane, in a minute dated the 20th September 1850, observed as follows: "I quite concur with the Right honourable President in adhering to our former resolution, as to the claim of this individual to the interference of the British Government, and cannot but regard Colonel Outram's strictures on the proceedings of Mr. Remington, and the late Acting Resident, Captain French, as well as the tone of his remarks relating to the decisions of Government, as exceedingly ill-advised." This minute was concurred in by the Right honourable the Governor (the Honourable Mr. Willoughby attaching thereto the word "seen," to signify his adherence to his own recorded opinion), and in conformity with the views of the majority of the Board, Lieutenant-colonel Outram was informed, on the 1st October 1850, "the former decision in this case is final, and his Lordship in Council sees no reason whatever for your interference between this individual and his Highness the Gaekwar."

Hurree Bhugtee substituted Bond case.—On the subject of a Correspondence between Lieutenant-Colonel Outram and Mr. Andrews, respecting an entry in some private papers of Baba Nafra, manager of the banking firm of Hurree Bhugtee, of Baroda.

[These proceedings were reported to the Honourable the Court of Directors in Political Despatch, dated the 26th November, No. 88 of 1851.]

15. ON the 16th December 1850, Lieutenant-colonel Outram submitted to Government a voluminous report on the subject of a correspondence which had passed between himself and (the late) Mr. Andrews, of the Bombay Civil Service, who then held the appointment of Judge and Session Judge, and Agent for the Right honourable the Governor at Surat, and who officiated as Resident at Baroda during the absence of Sir Robert Arbuthnot on sick certificate, from the 27th April 1846 to the 2d June 1847. This correspondence has reference to a document which was discovered in the month of July 1850, during an examination that, by order of Lieutenant-colonel Outram, was made at the Baroda Residency, of the private papers of Baba Nafra, manager of the banking firm of Hurree Bhugtee, of Baroda. This document appeared to be a rough memorandum of entries to be made in the books of the firm, and the parties who were employed by Lieutenant-colonel Outram in the examination of Baba Nafra's papers, intimated to that officer their belief that the document showed that a sum of money had been paid by Baba Nafra to certain persons for the purpose of obtaining their influence with Mr. Andrews in a matter then about to be subjected to his judicial decision.

16. In a minute dated the 19th November last, the Right honourable the Governor, after reviewing the facts elicited by this correspondence, observed as follows: "I am compelled further to remark, that the correspondence now before us, carried on as it has been in a bitter tone and acrimonious spirit between two high functionaries of the Government, is extremely irregular, and merits the gravest censure.

"When Colonel Outram first discovered what, in his opinion, indicated a transaction touching Mr. Andrews' character, I consider that it was Colonel Outram's duty to have patiently investigated the matter in the first instance, and not to have allowed it to proceed further, until assured of its real nature. Instead of acting thus, it appears that Colonel Outram instantly, without the least hesitation, reflection or examination, communicated to Mr. Andrews what was nothing more than a vague surmise and shadowy suspicion of something wrong, by which Mr. Andrews' honour might possibly be compromised, and so placed the latter gentleman on his defence, before prepared with the smallest proof in support of the charge. Under such circumstances it might have been expected that Mr. Andrews would have treated the affair with contempt, or have sought the protection of Government against the insult of an unfounded accusation; and had he adopted either of these courses, he might have been right, but unfortunately he adopted a different line of procedure. Mr. Andrews replied to the charge; he defended himself in a loose, uncertain, and somewhat inconsistent manner; and lastly, he deputed a subordinate officer of the Government, under his own immediate orders as the judge of Surat, to make inquiries for him, and collect information and evidence in the city of Baroda! The mission of the Sheristedar I regard as perfectly unjustifiable, and I am surprised that the Resident, Colonel Outram, to whom it was made known in the beginning, did not perceive its impropriety, and put a stop to it at once. Had Mr. Andrews still been living, I should have proposed to notice this part of his proceedings in terms of just severity, and I should also have proposed to have made the most searching investigation into the reputed misbehaviour of his messenger when at Baroda, but under present circumstances, promotion having been withheld from Nurbharam Kissondass in consequence of his conduct, I conceive it is desirable to close this case at once, since no object can be gained by pursuing any further inquiry, or keeping it longer open, because the Sheristedar will always have it in his power to assert that he acted under the orders of his official superior (Mr. Andrews); a fact which we now have no means of disproving, except in so far as his former statements have been at variance with Mr. Andrews' report."

Mr. Andrews died
on the 29th March
1851.

"I will therefore, in conclusion, only observe, that I view the conduct of Mr. Andrews, as shown in these papers, with much displeasure; and at the same time, I cannot approve of that of Lieutenant-colonel Outram, though to the latter officer must be allowed the merit of having been actuated by perfect purity of motive and an earnest zeal, however misdirected it may in some respects have been, for the vindication of the honour of the Government and its servants.

"Colonel Outram may be instructed to express to his Highness the Gaekwar the regret of Government that anything in the conduct of Nurbharam Kissondass, when at Baroda, should have been distasteful to his Highness, and to tell his Highness that promotion has been withheld from that individual in consequence."

17. The Honourable Mr. Blane, in a minute dated the 20th November 1851, observed as follows: "I concur generally in the Right honourable President's view of this case, and in the manner in which it is proposed to be disposed of, except that I would not inform the Gaekwar that Nurbheram's promotion has been withheld in consequence of his conduct having been distasteful to his Highness; I would suggest the addition of the words, 'of the share taken by him in the proceedings, in connexion with which his conduct is complained of,' or words to that effect."

18. The Honourable Mr. Bell, in a minute dated the 21st November 1851, remarked, "I also concur in the mode it is proposed to dispose of the case; but if I might venture an alteration, I would suggest to transpose the view taken of the conduct of the parties concerned, thus: I will therefore, in conclusion, only observe, that though I cannot entirely approve of the conduct of Mr. Andrews,

Andrews, as shown in these papers, at the same time, I view with much displeasure that of Colonel Outram, though, &c.

"I attribute far greater blame to Lieutenant-colonel Outram for having acted so indiscreetly, than to Mr. Andrews' irritability of temper, justly caused by the wanton publicity of so distressing a charge, considering Mr. Andrews' position in society."

19. The Honourable Mr. Blane, in a further minute dated the 22d November 1851, observed, "It is not on record that the late Mr. Andrews furnished Nurbheram with any instructions to do more than compare the accounts, which Colonel Outram ought obviously to have had brought to the Residency, instead of sending Nurbheram into the Durbar. The mixing up of the Durbar in the discussion, by sending Nurbheram's statements to his Highness, was also, I think, a marked indiscretion on the part of Colonel Outram. I therefore attribute more blame to the latter than to the former, but do not consider that the Right honourable President's expression of viewing the late Mr. Andrews' conduct with much displeasure is stronger than warranted."

20. The Right honourable the Governor, in a final minute on this case, dated the 22d November 1851, remarked, "I assent to the addition of the words proposed by the Honourable Mr. Blane, but I do not agree with my Honourable colleague, Mr. Bell."

Case of Joetabhaee Setanee.

[These proceedings were reported to the Honourable the Court of Directors in Political Despatch, dated the 3d December, No. 91 of 1851.]

21. IN a letter dated the 31st March 1851, Lieutenant-colonel Outram reported the result of inquiries he had instituted into the case of Joetabhaee Setanee, and stated that this investigation satisfied him that this lady had been "the victim of one of the most foul conspiracies on record, and been nefariously deprived of her child, her liberty, her worldly wealth, and her good name, by her own unfaithful steward, Baba Nafra, the moomin gomashta, or managing agent of the banking firm of Hurree Bhugtee, of which firm Bechur Samuldass, the deceased husband of Joetabhaee, was the head partner."

22. In his review of the very voluminous papers which accompanied Lieutenant-colonel Outram's report on this case, the Right honourable the Governor, in a minute dated the 10th November 1851, remarked as follows, with reference to the tone adopted by Lieutenant-colonel Outram towards Government :—

"Whether he (Lieutenant-colonel Outram) have fathomed all the mysteries of these perplexing and obscure intrigues, I am inclined, for reasons which I shall hereafter allege, to doubt; but he has done enough to have entitled him, but for certain considerations which I shall presently mention, to our unqualified approbation, for the sympathy which he has shown for a persecuted woman, for the protection which he has extended to her, and for the contest which he has sustained in her behalf with all the corrupt influences of a native court.

"The consideration which leads me to qualify my approbation is the highly objectionable manner in which Colonel Outram has thought fit to place his researches before Government, the terms he uses, and the reasons he assigns for using them.

These, in fact, are so phrased as to convey an ambiguous meaning to those who are ignorant of the facts of the case, and may, whether intended to be so understood or not, be thought to imply a covert accusation of the Government for the part it has already taken in Joetabhaee's case.

"Colonel Outram has divided his report into four parts. The first contains the introductory remarks, which, in my opinion, expose Colonel Outram to the charge of disrespect, as I shall endeavour presently to show.

"The second professes to contain the history of the case of Joetabhaee Setanee, to the commencement of the investigation conducted by Lieutenant-colonel Outram.

"The third comprises the revelations made to Colonel Outram at the Residency by certain parties to the intrigues carried on against Joetabhaee.

"The fourth, a sketch of the proceedings of the punchayet.

"It is the first of these sections with which we have to do at present.

"Colonel Outram considers the sentence passed by the punchayet upon Baba Nafra as quite inadequate, and to be owing to a culpable sympathy with the culprit on the part of the court, composed of the culprit's own friends. He believes that he has satisfactorily demonstrated that Joetabhaee was the real mother of the abducted child, a point on which I shall have subsequently to offer some remarks; and he states as the reason for entering into the case in such detail, his desire to prevent any clemency being shown to the convicted Baba Nafra, in mitigation of the sentence. Such a result would be attended, he believes, with the most calamitous moral and political consequences, by confirming the prevalent idea that Baba Nafra possesses some mysterious influence in Bombay.

"Colonel Outram goes on to tell us that Baba Nafra, unprincipled and unscrupulous as he has depicted him, had aspired to bribe our late colleague, the Honourable Mr. Reid. In the following para. (16), he brings forward the belief so prevalent, as he assumes it to be, at Baroda, that the higher officers of Government are not inaccessible to corrupt influence, as a full justification of the excessive length of his report. Not only this, but as supplying, in his opinion, a valid reason why the report should be attentively studied, ere Government do aught that might be indirectly construed into a confirmation of the popular belief.

"Is not this palpably to convey the expression of Colonel Outram's opinion, that Government would most probably act in this case so as to confirm the popular belief, if he did not take this extraordinary measure to prevent them? And does not this convey an indirect accusation that we were likely to act on this report, without having made ourselves sufficiently acquainted with its contents?

"He next proceeds to enumerate the decisions of Government in other cases, which in his opinion afford examples why such a belief should exist; and, finally, he concludes the list with these remarkable words, in which (as if he had not already said sufficient to cast a censure upon the proceedings of Government) he states, without a word of explanation, what is unquestionably true in itself, but phrased in such a manner as directly to impeach the conduct of Government on the present remarkable case.

"Additional confirmations, he observes (to the prevalent belief in the dishonesty of high Government officers at the Presidency), have been derived from the fact, that during the whole of the persecutions of the unfortunate Joetabhaee, Government never in one way or other interposed to secure a mitigation of the harsh treatment she suffered, though oft and loudly importuned by herself and her mother; while, on the other hand, no sooner was Baba Nafra placed in custody prior to trial, than Government hastened to express a hope that he would receive good usage.

"This language, I regret to remark, like that which preceded it, can hardly be read otherwise than as a direct accusation. It is no reply to say that censure is not intended, that blame is not imputed to Government, but to the parties by whom Government has been misled. This may be all that the writer intended; but I believe no one who reads the above in connexion with the rest of the first section can be sure that this is all he means. A casual reader would construe it far otherwise.

"In short, were the assumption that Joetabhaee has been harshly used at the hands of Government, maintainable upon the facts of the case, still the general tone of this section cannot be viewed otherwise than as most improper and unbecoming when addressed to his Government by an officer in Colonel Outram's position.

"One of the least objectionable consequences of such a proceeding is, that it in a manner obliges the Government to stand upon its defence; but the grave responsibility which a subordinate incurs who places his Government in such a position as to feel it necessary to defend its acts, must be enhanced tenfold if it be shown, as I shall presently show, that in the case in question there has not been a single act or order on our part which affords the slightest pretext for animadversion.

"Colonel Outram, it is true, in his 18th para., expresses his implicit faith in the honour and immaculate purity of the Government, which he is pleased to add,
that

that he esteems and honours. What he says of the conduct of Government and the low dishonesty imputed to it, is not the less calculated to impress those who have access to this report with a different notion.

"I cannot, on the other hand, omit to notice, that these extraordinary remarks as respects their avowed object of influencing the conduct of Government, are not less unbecoming; they not only openly denounce as pregnant with mischief and injustice a decision differing from that at which Colonel Outram has arrived, but they appeal to considerations as properly influential, which are altogether alien to justice, and which, in a case of this nature, could only influence the weak or the really corrupt.

"We are, in short, strongly and directly urged in the 17th para. to confirm the sentence passed upon Baba Nafra, not because it is right and just, but because if we were to modify or annul it, we should be suspected of acting wrongly.

"Colonel Outram has failed to perceive that suggestions like these are alike wanting in respect and decorum, because to suppose that they could possibly exert an influence upon our decision, is to suppose that the public belief, on which they profess to be based, has some solid foundation.

"Fortunately, as Colonel Outram may consider it, the guilt of Baba Nafra is too clearly established, if not to the extent believed in by the Resident, at least to a degree which would necessarily preclude any desire to interfere with the sentence of the Gaekwar's Court, the judges who passed it being, as we are informed, the Baba's personal friends.

"But I will not permit equivocal remarks upon the conduct of Government in such a case as that of Joetabhaee to remain on record unrefuted.

"The machinations from which she is said to have suffered, so directly challenge our best sympathy, that I should be sorry to think they had been encouraged or prolonged by any act or omission of ours, which could expose us to the charge of unfairness, or to the scarcely less blameable imputation of neglect.

"It is an agreeable duty to demonstrate that not in a single instance has an order been given by this Government, which on retrospection is found to have been inconsistent with the rule of the Government in similar instances, and with the equity of the case, as at the time apparent from the representations of our only possible advisers and informants, the several Residents, and from the best evidence at our command.

"It is not, however, so satisfactory to discover, that severely as Colonel Outram has censured in this report his successor, Captain French, for the part he pursued towards Joetabhaee, he is himself answerable, I say it with regret, for much of that lady's sufferings."

23. The Honourable Mr. Blane and the Honourable Mr. Bell concurred generally in the views and observations contained in the minute from which the above extracts are taken.

24. On the 12th January last, Lieutenant-colonel Outram replied to the letter founded on the above minute, which by order of Government had been addressed to him by the Chief Secretary on the 1st December 1851, and remonstrated against the general tenor of that communication.

25. With reference to this letter, the Right honourable the Governor, on the 13th February 1852, recorded a minute in (paras. 5 to 30 of) which his Lordship observed as follows:—

"I now turn at once to the first portion of the subject, Colonel Outram's attempt to exonerate himself from the charge of disrespect. The Honourable Court must determine whether the tone of his remarks merit what he is pleased to term the heavy censures with which they were visited.

"In the 5th and following paras., Colonel Outram questions the justice of our remark, that the direct and avowed object of his former report was to induce us to confirm the sentence passed on Baba Nafra.

"Referred as a question for our judicial decision, the direct object of the report was unquestionably what we have stated it to be. Colonel Outram appears to confuse the direct object with its consequences; the considerations to which he refers, were to be attained as the indirect consequences of Baba Nafra's punishment, and the object is avowed in the 11th para. of the first portion of his report.

" But Colonel Outram, as we have told him, took (in our opinion) an entirely wrong course in mixing up general and hardly relevant considerations with a question of pure justice. Thus, of the decisive measures referred to in para. 12, granting that they were necessary, allusion to them in his report was out of place, for the plea that the honour of Government requires to be vindicated by uncompromisingly visiting an accused party with punishment, supplies a direct motive to condemn that party.

" I am, therefore, not aware that the misapprehensions noticed in the 15th para. existed.

" To illustrate that the misconception of our meaning is on the part of Colonel Outram, I may refer to his 21st and 22d paras., alluding to a statement in his report, that any clemency towards Baba Nafra would not only be intrinsically unjust, but would be productive of the most calamitous moral and political consequences. He says that Government ignore the words 'intrinsically unjust.' This is a mistake; I had neither leisure nor inclination to refer to those expressions in his monster report, to which I had no objection to offer. My omission in no way did injustice to Colonel Outram, who should have stopped at the word unjust, and allowed Government to decide if the affirmation were established.

" Supposing that we had happened to differ conscientiously on this point with Colonel Outram, will any one pretend that the remainder of the sentence did not suggest to us a strong and entirely illegitimate motive for smothering the secret consciousness of the defect on the evidence, and for agreeing with Baba Nafra's accusers and judges.

" Colonel Outram calls the passage in the Government letter referred to, a heavy charge. I consider the Colonel to have been, and still to be, unaware of the obvious tendency of such remarks as the above.

" No doubts were implied of his perfect honesty of purpose.

" In the passage quoted in para. 27, we have another instance of the dimness of Colonel Outram's perceptions as to the real drift of his observations in Joetabhaee's case.

" I cannot admit that there is any 'obscurity,' 'clumsiness' or 'tautology' in Colonel Outram's assertion that the prevalent belief at Baroda in the corruption of high officials afforded a justification of the excessive length of the report, and supplied a valid reason why it should be attentively studied ere Government did aught that might be construed by the friends of corruption at Baroda into a confirmation of the popular belief that Baba Nafra enjoys a more than legitimate influence at Bombay.

" What meaning but one can be attached to such language? A criminal investigation had been made into direct and definite charges; a man convicted; a sentence passed, and the proceedings of the court which passed it referred to the Bombay Government, with the Resident's observation on them, to guide us in a very important decision, involving civil rights as well as the execution in its totality, or in part, of the criminal's sentence.

" What could, in such a case, be implied by the caution against 'doing aught,' but a caution against the remission of that sentence.

" In para. 29, Colonel Outram speaks of our accusation against him, of having sought to influence the decision of Government by improper considerations. The term accusation implies that we considered him to have done so advisedly; I said nothing which admitted of this construction.

" He observes in the same para., that the portion of the report therein quoted, stated facts, not opinions; but granting that the decision of Government there referred to had augmented the mistrust of the Baroda people in the honesty of high officials, I may ask by what right does Colonel Outram, in addressing the Government in a case of this nature, assume that those decisions were not just, and thus set up his opinion in opposition to that of the several Governments which passed them.

" Have Government or the Court admitted their injustice? If he thought them unjust, and deprecated the consequences which have resulted from them, it was open to him to have singly and severally made good his charges; but the allusion to them has no business here.

" If he do not impugn the justice of these decisions, it is difficult to imagine why they should be introduced at all. Colonel Outram cannot expect that Government should vary from the course which they deem right and proper,
because

because unprincipled men may boast of their imaginary influence, and the rabble at Baroda may believe them.

"As to Colonel Outram's remarks in paras. 30 to 34, it will be sufficient to observe that whoever may have access to these papers, whether the Court or others, they will be able to judge if Colonel Outram's remarks have been unfairly characterized by me.

"Colonel Outram argues that his reports should be taken in connexion with each other, and that the facts which had come to his knowledge, justify his comments.

"I am altogether unable to admit these inferences. If Joetabhaee's case required to be referred to us at all, it was purely on the judicial question of whether the proceedings demonstrated that she, a guaranteed subject of his Highness the Gaekwar, had been injured by his Highness, or, if we even admit so much, by the decision of his Highness' tribunal. The sentence passed on Baba Nafra, the Resident recommended should be enforced. All we had to say to it in giving it our sanction, was to consider whether its effect would be to establish Joetabhaee in any rights which had been withheld from her, and which we have pledged to see restored to her under the guarantee, or whether it fell short of this. It was open to the Resident to show that the latter was the case, and if the further perjury to which he alludes were attempted to the prejudice of Joetabhaee's claims, to meet it and expose it with the same determination that he has already shown in protecting her. He might be assured that the new evidence, through which either party might wish to influence this Government, would be referred as usual to the Resident.

"Of his remarks here and elsewhere, in allusion to Sir G. Arthur's Government, I shall merely observe that this Government is as anxious as any former one to remove dishonouring misapprehension of its impartiality.

"On the same subject, in paras. 40 to 51, he intimates his belief that it is quite within the power of Government to disabuse the minds of the natives of Baroda of the impression that the high officials of the British Government are accessible to corrupt influence; that this impression Sir G. Arthur said could not be permitted to exist unrefuted, and that we ourselves were evidently of opinion that it could and should be refuted, as evinced by the issue of the Khutput circular.

"Where the character of a British official is directly questioned, be he high or low, it is the duty of the Resident to spare no pains to sift the origin of the rumour or belief, and to communicate the result of his inquiries to Government in a separate and definite shape. If it appears that the officers have done aught to deserve the suspicion, the inquiry can be carried further, or if it be proved that any of the subjects of his Highness have maligned that officer's character and promulgated false and injurious rumours, the calumniator would doubtless be visited with his Highness' marked displeasure on his being made aware of the fact, and pressed to punish the delinquent. In this and in no other sense, do I read the letter from Sir G. Arthur's Government so frequently referred to. It will be obvious that my remarks, which Colonel Outram has quoted, did not apply to charges of this nature, directly implicating known individuals; such charges have not been made, nor was the Joetabhaee report the place to make them.

"But the proneness to believe in the influence of the lowest and basest of motives upon the decisions of men in power, which though unhappily not confined to natives, is from their habits and education a marked characteristic of the native mind, cannot, I believe, be effectually combated by the occasional detection and punishment of some strong calumniator, by our expressions of the scorn or detestation with which such a belief is viewed, or by proclamations of our own integrity. The sole palliative or remedy is to be found in the application of specific measures to specific cases, and on the personal influence of our local officers. Or if our policy is shown to have been faulty, it is open to Government, on being convinced of the fact, to correct it.

"With reference to Colonel Outram's 38 and 39 paras., I have only to remark that the language in which he has addressed us in his Joetabhaee and other reports, is calculated to impress us with the belief that he entertained, if he did not openly avow, very different sentiments.

"He would argue, I believe, that we are not authorized in attaching to his

words the interpretation which we have placed upon them ; but the language is on record, and it stands there to justify or condemn us."

26. The Honourable Mr. Blane, in a minute dated the 14th February 1852, remarked as follows :

" I concur generally in the remarks of the Right honourable President, being able to perceive nothing in this lengthy rejoinder to shake in any material degree the conclusions previously arrived at, either as regards the merits of Joetabhaee's case or of Colonel Outram's conduct towards Government, in respect to the tone and spirit in which the proceedings have been conducted.

" As regards the merits of the case, the only point which appears to be established, is that ' Baba Nafra ' did, of his own mere motion, cause the abduction of a child. This salient feature was patent from the commencement, and except on the supposition of a strong impression that ' Baba Nafra ' was, however irregularly, protecting the interests of the family of his patron, by preventing the intrusion of a spurious child, it is difficult to understand how that most unjustifiable exercise of authority was not at once laid hold of by the Resident under whom it occurred, or by Colonel Outram himself, until incited by the rancorous personal feeling which has led him to take up the case in so violently partisan a spirit. Colonel Outram, in para. 14, quoting from former letters, dwells upon the extreme enormity of the case, and begs of Government to ' express to his Highness their deep regret that the state of morals in his capital should have fallen to so low an ebb as the history of Joetabhaee's case proved to them it had fallen ;' but if the annals of crime in a large capital could produce nothing worse than a case of abduction on which to base such a remonstrance, ' Baroda ' would be far more immaculate than the evidence of modern statistics shows to be the standard of morality in most of the European capitals.

" As regards Colonel Outram's conduct towards Government, he cloaks his strictures under the guise of merely giving utterance to the emanations of the public mind of Baroda ; but as he has no means of ascertaining the public mind, and the greater portion of his arguments are based on the dates and contents of official documents, which could not be present to the public mind, there is no room for any other conclusion than that, although never so unintentional on his part, he is speaking his own mind under that pseudonym.

" In respect to the ' Khutput ' Circular, it originated in the representation of an impression being entertained in the ' Mofussil,' that by means of intrigues at the Presidency, the ' arrangements of local officers can often be defeated or superseded,' &c. By calling attention to the existence of such a belief, greater circumspection on the part of persons in office might, it was considered, be promoted. In the light in which the circular has been taken up by Colonel Outram, the contemplated scope of it has been entirely overlooked, and intrigues of all kinds, even those at a native court, assumed to be included, which gives to the measure a very different complexion from that of the original design."

27. The Honourable Mr. Bell expressed his opinion as follows, in a minute dated the 16th February 1852 : " Having already recorded my opinion on the general complexion of the proceedings in Joetabhaee's case, I have only now to state my concurrence in the views of the Right honourable President, and of my colleague, as to the disposal of Colonel Outram's last remonstrance. I presume it is considered desirable that our despatch should accompany Colonel Outram's appeal ; I shall not therefore attempt any recapitulation of the points so well treated of in our President's minute, nor enlarge further on the unbecoming tone and spirit adopted by the Colonel from the first, and in which he still persists in addressing Government, and which will no doubt attract the special notice of the Honourable Court."

Nursoo Luxmon, commonly called Nursoo Punt, late Native Agent to the Resident at Baroda.—Charges of Bribery, Corruption, and other acts of misconduct, preferred against, by Lieutenant-colonel Outram.

[Note.—These proceedings were reported to the Honourable the Court of Directors in Political Despatch, dated the 17th February, No. 19 of 1852.]

28. On the 10th April 1851, Lieutenant-colonel Outram submitted to Government a voluminous paper, intituled, " A Statement of Facts relating to Nursoo Punt,

Punt, late Native Agent of the Baroda Residency, and now Dufturdar at Ahmedabad, illustrative of that individual's character, and of the part taken by him in strengthening the popular belief in the Corruptibility of High Officials." In this statement Lieutenant-colonel Outram preferred various charges of fraudulent and corrupt conduct against Nursoo Luxmon, and introduced the name of Mr. Reid, late Member of Council at this Presidency, in connexion with these charges.

29. With reference to the allusion to Mr. Reid made by Lieutenant-colonel Outram in the above statement, the Right honourable the Governor, under date the 14th February 1852, recorded the following minute: "I have purposely avoided recording any remark on Lieutenant-colonel Outram's letter, No. 61, (dated April 10th, 1851), or on the statement of facts against Nursoo Punt which accompanied it, until Mr. W. E. Frere's inquiries into the validity of the charges against that individual should have been brought to a close. These inquiries have now terminated, and it would have been unnecessary to notice any further, either the above letter or its enclosures, were it not that I deem it proper to animadvert upon the manner in which the name of our late colleague, the Honourable Mr. Reid, has been introduced into the charges urged against Nursoo Punt. I do not consider it necessary to attempt a defence of Mr. Reid's character; that required no vindication; but I wish that the Honourable Court may be fully aware of the displeasure with which we have regarded insinuations that, during the recent proceedings held before the Commissioner, have proved to be so totally groundless." This minute was concurred in by the civil members of the Board.

30. With reference to the charges preferred by Lieutenant-colonel Outram in the above statement against Nursoo Luxmon, Mr. W. E. Frere, of the Bombay Civil Service, was, on the 16th May 1851, appointed by Government a Commissioner under Act XXXVII of 1850, to inquire into their truth. Mr. Frere finally closed his investigation on the 22d October 1851, and on the 6th December following the Right honourable the Governor recorded a minute, in which his Lordship reviewed the evidence in support of his charges against Nursoo Luxmon, adduced by Lieutenant-colonel Outram before Mr. Frere, of the facts urged by Nursoo Luxmon in his defence, and the arguments and opinions recorded by the Commissioner in his finding upon each charge.

31. The Right honourable the Governor, and the Honourable Mr. Blane, considered the guilt of Nursoo Punt to have been established upon one of the seven charges on which Lieutenant-colonel Outram had prosecuted Nursoo Punt before Mr. Frere, and that considerable suspicion attached to that individual with respect to two other of the charges, but that the evidence was insufficient for his conviction. Under this decision, Nursoo Punt having been pronounced guilty of a betrayal of his official trust as the head native servant of the Baroda Residency, orders were issued on the 20th January last for his removal from his situation of Dufturdar to the Collector of Ahmedabad, that officer being at the same time informed, that Nursoo Punt will be considered ineligible for re-employment under Government.

32. The Honourable Mr. Bell, in a minute dated the 12th December 1851, after reviewing Mr. Frere's proceedings in this case, remarked, "After the very strong terms of invective and accusation used against Nursoo Punt by Lieutenant-colonel Outram in his Khutput letter, I cannot but consider the result of his investigation a great failure. All that appears to me to have been established against Nursoo Punt, amounts to grave suspicion; and against this he might well plead a course of 30 years' uninterrupted meritorious service."

Khutput.—Report on, by Lieutenant-colonel Outram, dated 31st October 1851.

[Note.—Lieutenant-colonel Outram's letter, transmitting the above Report, but unaccompanied by the latter, was forwarded to the Honourable the Court of Directors in Political Despatch, dated the 29th November, No. 89 of 1851.]

33. On the 31st October 1851, Lieutenant-colonel Outram submitted to Government a voluminous paper, intitled, "Khutput Report." On the transmitting letter which accompanied this report, the Right honourable the Governor,

Governor, on the 22d November 1851, recorded the following minute:—"On the 15th May 1850, Lieutenant-colonel Outram was requested by this Government to state his opinion whether a belief in the efficacy of intrigues carried on at the Presidency, to contravene by corrupt influences the recommendations of local officers up the country, existed amongst the natives, and also as to the mode in which such a belief, if it existed, would be most readily eradicated; in reply to this call for information, Colonel Outram has forwarded to us a voluminous paper, intituled 'Khutput Report,' to which due attention will be given when we dispose of the several communications we have received from others of our officers on the same subject. The letter which accompanied the above report is, however, so extraordinary in its style and tenor, as to call for immediate and serious notice. From this letter, Lieutenant-colonel Outram would seem to have formed a very incorrect idea of his position at Baroda, as the representative of the Bombay Government, as well as of the relations in which the Government he represents stands with regard to the independent Sovereign, and friendly neighbour, at whose Court he is the Resident: for one, at least, of the principal objects of his present letter, would appear to be to induce the Government of Bombay to insist on the suspension, or absolute removal from office, of the chief minister of his Highness the Gaekwar, solely, in as far as we are at present advised, because he, Colonel Outram, entertains a bad opinion of that individual, no specific charge even assumed to be capable of proof being preferred against him. So arbitrary a measure towards any prince in the situation of the Gaekwar, could only be justified in a case of absolute necessity, under circumstances of peculiar emergency, or extreme danger to the State; when directed against a compliant and unoffending ally, it could but be regarded as a most wanton and tyrannical act of aggression. I cannot but think, therefore, that in advocating such a course of policy, Colonel Outram has shown that he takes such an erroneous view of his own position, and of the duties it involves, as could hardly have been expected from the youngest political officer in the service.

"It was not intended by our circular of the 15th May 1850, to enjoin our functionaries to devote their time to searching out cases on which corrupt influences had anywhere, or at any time, been brought to bear, or to attempt to discover that which, from its very nature, must be all but impossible to trace; but it is quite clear that Colonel Outram has misinterpreted the letter on which his elaborate report is founded, and has entered on very laborious and difficult researches, with the expectation of destroying among the people of this country the practice of seeking to compass their ends by indirect means or corrupt influences. Opinions may vary as to the possibility of obtaining such a result, or as to the efficacy of the measures employed with that view; the object was nevertheless a good one, and however I might have differed from Colonel Outram as to the expediency or propriety of the means he would use to gain it, I should not have blamed the honest ardour with which it was pursued. Had the Resident stopped here, I should have deemed it sufficient to have cautioned him that the course he was following was calculated to embroil us with the Gaekwar, and that all that it was practicable to effect towards destroying the impression said to prevail with regard to the efficacy of Khutput, would be best effected by the exercise of extreme vigilance in the offices of all our public departments.

"But Colonel Outram has gone far beyond this: it is not indeed easy to follow him through the somewhat desultory and incoherent medley of facts and arguments of which his letter consists; but his main intent and purpose, apparently, is to show that his endeavours to trace out and expose the system of corruption, which he assumes to have existed for a series of years at Baroda, have been opposed and thwarted by the Bombay Government; that he has thus become a mark for calumny and reproach, and has incurred the danger of assassination at the hands of those whose evil deeds he has endeavoured to bring to light; that nevertheless he remains at his post, because he regards it as an imperative duty to continue to contend for the great principles he has striven to maintain, and he calls on the Government to act with him, to cause the Gaekwar to dismiss his minister, to punish the parties he deems corrupt as traders in corruption, and thus vindicate and assert the purity of the British character in the manner he, Colonel Outram, deems just and right. He likewise assumes that he has lost the confidence of his official superiors, and bitterly complains of the position in which he is consequently placed. Had we earlier become

become aware that Colonel Outram's feelings were such as he now describes them to be, that he had ceased to regard the Government he represents with respect, to sympathize with its purposes, to desire the accomplishment of its wishes, and to struggle to effect its ends (and this all apparently because we have declined, as a Government, blindly to follow the Resident's lead, to take for granted what he has not proved, and to denounce as guilty those against whom suspicion only could be said to be established); that instead of looking upon himself as bound, while the representative of the British Government at Baroda, to act only as directed by that Government, and to carry out scrupulously those views, and those only, which might be indicated for his guidance, he deemed himself, as appears from para. 17 of his letter, to be endowed with some independent authority, which he may exercise or not at his own pleasure, I certainly should have been sooner convinced that the mutual confidence that ought to subsist between the Government and the Resident was, as it unfortunately now too plainly appears that it is, wanting, and that that officer was no longer qualified to discharge satisfactorily the functions of his important office.

"Without entering into the question of how, where, in what direction, and to what extent corruption may have been practised at Baroda, and between Baroda and Bombay, I consider that while labouring under such impressions as those by which Colonel Outram is by his own showing influenced, he cannot possess the tact, calmness of mind and discretion indispensable to the maintenance on a satisfactory footing of our political relations with the Baroda Durbar; that much embarrassment will ensue if he be permitted to remain there; and I would therefore inform him that the letter under review, taken in connexion with previous correspondence, has convinced us that it will not be for the advantage of the interests of Government that he should continue to represent them at Baroda; that we leave it to him to withdraw from the appointment he fills in the manner least offensive to his own feelings, and least calculated to embarrass or injure our amicable relations with his Highness the Gaekwar; further, that we will await his reply, which we request may be sent at his earliest convenience, before taking any other alternative into our consideration."

34. In a minute of the same date (22d November 1851), the Honourable Mr. Blane remarked as follows: "I fully concur in the Right honourable President's remarks, and in the course proposed to be adopted. It is impossible that Colonel Outram in his right mind would persist in addressing Government in the very unbecoming terms he has lately indulged in, and even vaunt the re-insertion of offensive passages which he had been permitted to erase from a former letter, declaring, moreover, his resolution to adhere to his own course of proceeding, though believing it to be entirely opposed to the wishes of Government; or, if he would do so, that Government can, consistently with what it owes to itself, permit him to retain his appointment."

"The extent to which his proceedings are likely to involve Government in difficulty is prominently disclosed in the proposal in the present letter to remove the Baroda minister, not in consequence of any misunderstanding between the Durbar and the Bombay Government, but merely, as he persuades himself, in pursuit of the Quixotic design he has conceived, of eradicating what he imagines to be the popular belief of the efficacy of indirect influence through the corruptibility of Government officials, though in reality, it is to be feared, under the instigation of Baba Furkey, and other wily intriguers who are seeking to turn his monomania to advantage in the attainment of their own ends."

"Unless, therefore, he avail himself of the opportunity offered him of resigning, I see no alternative but his recall."

35. The Honourable Mr. Bell "fully concurred" in the above views, and the same were communicated to Lieutenant-colonel Outram, in a letter from the Chief Secretary, dated the 27th November 1851.

36. On the 15th December last, Lieutenant-colonel Outram, in reply to the above letter, tendered a vindication of himself, as he remarked, "from the accusations that Government has recorded against him, when intimating to him that he may no longer represent it at Baroda."

37. With reference to this communication, the Right honourable the Governor, on the 26th January last, recorded the following minute :

" I have carefully perused this lengthened letter ; its style and general tone I consider objectionable ; but as I am willing to allow much latitude to an officer placed on his defence, as Colonel Outram regards himself, I pass that by ; but the arguments adduced appear to me untenable, the reasoning unsound, and the conclusions inconsequential and erroneous. If anything were wanting to convince me that the removal of Colonel Outram from the Residency at Baroda was a proper and indeed an inevitable act on the part of our Government, this letter would be quite sufficient to supply that want.

" Colonel Outram, indeed, labours to show that the intent and meaning of his former letter have been misunderstood by us ; but his explanations seem to deal for the most part with non-essentials, and to leave all the more material parts of the grounds on which we based our measure untouched.

" The first 18 paragraphs are filled with quotations from former proceedings, meant to show that Colonel Outram acted only according to precedents, and that our decisions and orders have been at variance with the policy of former Governments.

" Even were the precedents in point, and were the policy we pursued towards the Gaekwar Court different from that of our predecessors, this would be no justification of an officer addressing the Government he represents and serves in the terms of Colonel Outram's letter of the 31st October. But the precedents are not applicable to the present circumstances. We never overlooked the well-known fact, that the Gaekwar is bound to appoint a minister approved by the British Government, and none other ; that the Gaekwar is bound in certain circumstances to be guided by the councils of the British representative at his Court. But what concern have these obligations on the part of the Gaekwar with our refusal to call upon that prince to dismiss his minister at the instance of our Resident ? We have said that Colonel Outram must have formed a very incorrect idea of the relations between our Government and the independent sovereign and friendly neighbour to whom he is accredited, when he sought to induce us to require the removal from office of that prince's prime minister, solely because he (the Resident) had a bad opinion of the man, against whom, nevertheless, he had brought no definite or specific charge. And what answer can it be to this, to show that the Gaekwar is bound to comply with our requisition for the removal of his minister, if we please to make such a requisition ?

" We are well aware that Sir George Arthur's Government pressed upon the Gaekwar very earnest remonstrances against the admission into his durbar of councillors, ' who dared to call in question the honour and integrity of the British Government, by representing to his Highness that some of its highest functionaries could be influenced in their official acts by bribes ; ' but in that case (the celebrated one of Dhakjee Dadajee), it was the Gaekwar himself who was alleged to have attempted, through his emissaries, to corrupt the British functionaries ; and hence the very proper and decided intimation, that if such a line of conduct were pursued by an ally, the friendly relations existing between the states must cease. There is nothing parallel to this in the present instance. Colonel Outram has exonerated the Gaekwar personally of any share in the misdeeds which he attributes to the minister. If the minister be proved to our satisfaction to have misconducted himself, and misused his power, so as to compromise our interests, and those of his own Prince, or endanger the welfare and safety of the Gaekwar State, then we would not hesitate a moment to call on the Gaekwar to dismiss his obnoxious servants, and to conform himself to the advice of the British representative, in appointing another. This point, however, Colonel Outram has never attained, and therefore, I again repeat, that to have required the removal of the minister in the manner indicated and desired by Colonel Outram, would not have consisted with the due preservation of the relations subsisting between the two Governments.

" In his 19th and following paragraphs, Colonel Outram attempts to show, that he had brought definite and specific charges against the minister, prior to his letter of the 31st October ; but in that very letter he states, that up to that time he has been constrained to meet the minister in his own fashion ; to assume his own cordial demeanour ; to express satisfaction for such trifling aid, as from time to time, for appearance sake, he has rendered ; and to appear ignorant of his secret opposition. Further, in the same letter, the Resident offers to transmit a memorandum,

memorandum, exhibiting the hostile proceedings indulged in by the minister. 'But,' he adds, 'I will not undertake to prove one word of my allegations while he remains in power.' And more can hardly be required to justify our conclusion from Colonel Outram's own words, that the removal of the minister was sought on no other grounds than those we have stated in our letter to the Resident of the 27th November.

"It is scarcely necessary, perhaps, to notice the observations relative to the meaning of the term 'Durbar;' I do not perceive that this word was ever misunderstood. It imports, I believe, much the same as 'Porte' in Turkey, or 'Cabinet' in England; it means the government of a state or kingdom collectively, as distinguished from the head of that government individually; Durbar, as I am informed, in ordinary acceptation, would not signify a minister or ministry, exclusive of the sovereign; but the whole ministry, inclusive of the sovereign, in whose name it acts.

"Colonel Outram's defence in his 31st paragraph seems to me uncalled for. We never charged him with 'willingly recommending any wanton and tyrannical act of aggression,' but we gave him as our reason for refusing to comply with his recommendation, that if not supported on stronger grounds than he had alleged, it would be regarded in that light. I have no doubt that Colonel Outram represents his real feelings, when he states in his 33d paragraph, 'I felt that I should have failed in the duty I owe to the Gaekwar, had I not implored my government to exercise its undoubted right, for the purpose of saving from serious consequences an amiable but weak-minded Prince.' Colonel Outram may have conscientiously felt this, and yet have been mistaken; and when he adds, that for this conscientious act of duty he has been removed, he is decidedly in error, as I shall presently show.

"The 36th and following paragraphs have been written apparently under a very extraordinary misconception of the observations we made relative to the Government Circular of the 15th May 1850. We never intended to impugn the diligence or assiduity of Colonel Outram in the slightest degree; I am not aware that displeasure has ever been evinced towards him while at Baroda, on account of any delay or any neglect in the business of his office whatsoever; we merely pointed out to him that he was not called upon by the circular in question to enter on laborious and difficult researches, with the expectation of destroying amongst the people of this country the practice of seeking to compass their ends by indirect means or corrupt influences; and I confess I cannot readily understand how so simple a statement as this could be considered to imply a charge, that Colonel Outram 'had neglected other duties while preparing his Khutput Report.'

"In his 39th paragraph, Colonel Outram denies that he has been influenced by any wild and quixotic expectation, such as is above described, but at the same time avows his hope, that he might have induced Government to take steps requisite to disabuse the native mind of Baroda of the belief that high British functionaries could be bribed or influenced by improper considerations. The 'ends' which the people at Baroda are supposed to seek to compass, by indirect and corrupt means, all refer to measures connected with the British Government; and therefore, if there be any practical distinction between the 'expectation' expressed in the Government letter, and the 'hope' in that of Colonel Outram, it is too subtle to be easily distinguished.

"I have but one more remark to make upon the contents of the first 39 paragraphs of this letter; and that is, that I fail to perceive any similarity between the circumstances which called forth the censure of Government upon Mr. Boyd, in 1843, and those at the present time under consideration; Mr. Boyd was censured for the apparent want of interest which he had evinced in the furtherance of the important objects Government had in view, in prosecuting the inquiry, and for not possessing at the Gaekwar Court that influence which was essential to the performance of his duties. I am unable to detect any point of resemblance between the relative position of Mr. Boyd and the Government in 1843, and that of Colonel Outram and the Government in 1851.

"I come now to Colonel Outram's 40th paragraph, and the reasons which we have recorded for the removal of this officer from Baroda. We have distinctly informed Colonel Outram that these reasons are altogether distinct and apart from his Khutput Report and its contents. We have told him most plainly, that 'without entering into the question of corruption practised between Baroda

and Bombay, we consider that, while labouring under such impressions as those by which, according to his own showing (in his letter of the 31st October), he is influenced, he cannot possess the tact, calmness of mind, and discretion indispensable to the maintenance, on a satisfactory footing, of our political relations with the Baroda Durbar. I pass, therefore, in silence over the 41st and 48th paragraphs, as they refer to the Khutput Report, which does not enter at all into the question immediately under consideration. Colonel Outram has not been removed because he advised us to call upon the Gaekwar to dismiss his minister; he has not been removed because he entered upon laborious researches regarding Khutput, and framed a voluminous report upon the subject, but because he presumed to attach to that report a letter expressive of sentiments and feelings regarding the Government he was at the time representing, which we hold to be incompatible with the correct discharge of the duties of his office.

"We have told Colonel Outram, that so soon as we became aware that he had ceased to regard us as a Government with respect, and that, instead of looking upon himself, while the representative of the British Government at Baroda, as bound to act only as directed by that Government, and to carry out scrupulously those views, and those only, which might be indicated for his guidance, he deemed himself endowed with some independent authority, to be exercised or not at his own pleasure; so soon, I say, as we became aware of these facts, we decided that he was no longer qualified to discharge satisfactorily the functions of his important office.

"In his 51st paragraph, Colonel Outram asserts that he never informed us that he had ceased to regard the Government with respect. Certainly, Colonel Outram has never ventured to say this in so many words; but, if the narrative introduced into his letter of the 31st October, of the steps he had taken to be removed from the control of the Bombay Government, be considered in conjunction with the tone of that whole letter, no one, I apprehend, will entertain the least doubt of the fact; and it is a fact, indeed, which Colonel Outram does not deny, although he may truly say that he has never stated it in direct terms. To the further charge, however, to which he most emphatically pleads not guilty, that of 'deeming himself to be endowed with some independent authority, to be exercised or not at his pleasure,' I conceive Colonel Outram has, '*totidem verbis*,' laid himself clearly open. I quote from his own letter: 'Had I been on those terms with my own superiors to which in former days I had the honour to be admitted, as well by the local as the supreme Government, I should, at a very early date of my intercourse with the minister, have pointed out to his Highness the necessity, for the honour of his own Raj, of selecting another adviser. In doing this, I should have done no more than any other Resident in India in a similar position would have deemed himself justified in doing.' Again, 'This is a position from which I conceive that I have a right to be allowed to relieve myself, by the exercise of that authority which few other residents would hesitate to exert.'

"Colonel Outram now declares that these passages were not intended by him to bear the meaning we have attached to them; that he meant only to express his opinion that he had a right, a moral right, to be permitted to exercise that license of giving friendly advice to the Gaekwar, which he believed any other Resident in India would have exercised on his own responsibility.

"If Colonel Outram meant no more than to enunciate this obvious truism, I can only regret that he should have expressed himself so obscurely. The plain meaning of the passages I have cited is, that the Resident considered himself invested with an authority to advise, or even compel, the Gaekwar to remove his minister upon his own responsibility, as his own act, without the previous direction and sanction of the Government he represents. This is the sense in which we have read those passages; and the elaborate defence into which Colonel Outram has entered, the greater part of which is wholly irrelevant, has failed to convince me that they could have been read reasonably in any other.

"Upon the remainder of Colonel Outram's letter I will make but little comment. Embarrassing consequences may possibly follow from Colonel Outram's sudden removal from Baroda, but if such should be the result, it is Colonel Outram himself who has forced upon us the necessity of removing him, upon whom those consequences must be charged. The picture drawn of the present state of affairs among the people and at the Court of Baroda is, I think, exaggerated; but whether accurate or not, we may have sufficient confidence in
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the successor whom we have appointed in Colonel Outram's place, to believe that the interests of neither state will suffer any permanent injury therefrom.

"I record these remarks for the information of the Honourable Court, to which authority I should wish the letter under notice, together with our observations on it, to be transmitted by the next mail; but I do not consider it necessary to make any further communication to Colonel Outram."

38. On the 27th January last, the Honourable Mr. Blane recorded the following minute: "I see nothing in Colonel Outram's present letter to alter the view previously taken of his proceedings.

"It is mainly, indeed, a recapitulation of the unsupported assertions and greatly over-stretched conclusions contained in his former communications.

"The proceedings in the late Mr. Boyd's time are adverted to in his justification; but the inquiry on that occasion was instituted under express instructions from Government, the source from which alone measures of such delicacy should emanate, and was directed to a specific allegation; whereas the extracts from his former correspondence, now quoted by Colonel Outram as showing the cause of complaint against the present minister, can, I think, be read by no one, as containing more than the most vague and general accusations.

"In the tone of the present letter throughout, there is, moreover, the strongest confirmation of an excited and irritable state of mind, absolutely incompatible with the retention of an appointment in which he has permitted his personal feelings to place him in so irretrievably false a position, both towards Government and the Durbar to which he is accredited.

"On the general question of the belief in 'Khutput,' he would seem to argue that this belief had been fostered at Baroda, by Government withholding its support from the Resident. Such an inference is not, however, supported by the principal examples adduced in illustration. In the instance in the time of Mr. Boyd, the Resident was blamed for not having acted up to the instructions of Government; and in the more recent case of Joetabhaee, the same functionary is alleged to have been deceived, and, in consequence, to have misled Government, as attributed by Colonel Outram to Captain French. But, supposing Colonel Outram to believe in the origin he assigns to the popular conviction of the efficacy of Khutput, it ought to be evident to him that his placing himself in direct and unbecoming opposition to Government could only result in the exposure of such want of concert as inevitably to afford strength to what he pretends to be seeking to eradicate.

"The real motive by which he has been actuated is, at the same time, but too apparent. As subsequent events have shown, the censure conveyed in Government letter, dated 12th January 1849, relative to his aspersion on the character of 'Nursoo Punt,' was in some measure unmerited; but this can in no way justify such unrestrained indulgence in the animosity conceived, in consequence, towards Government, and his '*locum tenens*,' Captain French. That the cases of Nursoo Punt, Joetabhaee and Baba Furkey have been got up as his stalking-horses for recrimination, is disclaimed by him in para. 38; but although the cases in question were doubtless of a nature to have been forcibly represented, the tone of attack and exaggeration in which his correspondence has been couched is wholly extraneous to matters of business, divested of the bias of personal feeling.

"I quite concur in thinking any further communication to Colonel Outram to be unnecessary. Any detailed comments on the several topics reverted to in his present letter, are also, in my opinion, uncalled for. Everything deserving of notice appears to me to have been disposed of by our former minutes, but as these are spread over a very voluminous correspondence, an office summary, placing the whole in a more connected form, should, I would suggest, be prepared as an accompaniment to the communication to be now made to the Honourable Court."

39. The Honourable Mr. Bell, in a minute of the same date, observed, "The above minutes so entirely embrace my views on Colonel Outram's present letter, that I shall not detain the papers further than to express my fullest concurrence in them."

40. Copy of Lieutenant-colonel Outram's letter of the 15th December last, and of the minutes of the Board thereon, were forwarded to the Honourable the Court of Directors on the 3d February 1852.

Bombay Castle, 11 March 1852.

(signed) *A. Malet*,
Chief Secretary.

(True extract.)

(signed) *A. Malet*,
Chief Secretary.

37.

APPENDICES to the MEMORIAL from Lieutenant-colonel *Outram*, dated the 12th February 1852, to the Address of the Honourable the Court of Directors, accompanying Political Despatch from the Bombay Government, dated the 15th March, No. 33, of 1852.

Accompaniment to the humble Memorial of Lieutenant-colonel *J. Outram*, C.B., being Report on the popular belief in KHUTPUT.

PARTS I. and II.

With transmitting Letter, dated 31st October 1851.

A REPORT on the circumstances which have tended to confirm the popular belief in Khutput, as regards the Guicowar States, and on the best means of eradicating that belief, by Lieutenant-colonel *Outram*, Resident at Baroda.

Baroda Residency, October 1851.

REPORT on the Popular Belief in KHUTPUT.

PART I.

Section I.

1. THE following report is drawn up in conformity with the instructions contained in the circular letter issued by Mr. Secretary Goldsmid, on the 15th of May 1850, No. 2,265 of the same year.

2. That letter called on the parties to whom it was addressed to report whether they had reason for supposing that a belief prevails generally, or amongst any particular class of persons, within the limits of their several charges, that, "by means of intrigues at the Presidency, the arrangements of the local officers can often be defeated or superseded, by the parties interested secretly obtaining the friendship of men in power, who, it is expected, will, irrespective of right or wrong, interest themselves for the party soliciting their favour, and that by these means objects are attainable which, if left to be sifted and reported on in a deliberate and regular manner, could never succeed."

3. The letter intimated that this species of intrigue is called "making khutput in Bombay," and that it had been represented to Government as being regarded by the native community "as a remedy under difficulties of any kind," and "as effectual in effecting the restoration to place of official servants who for incapacity or dishonesty have been dismissed the Government service."

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4. The same circular letter further recited, that "a belief in the existence of a system of this nature is calculated greatly to embarrass the officers of Government, and to undermine the confidence of the ryots in the justice of the system under which they are governed;" and it concluded by inviting its recipients, should they have reason to suppose that a belief in the efficacy of "khutput made in Bombay" really exists, to suggest measures that might appear to them best calculated to eradicate it.

5. It is my painful duty to report, that I have the most conclusive reasons for supposing that a belief in the efficacy of khutput does prevail amongst all ranks and classes within my jurisdiction; and I conceive that I shall most satisfactorily explain these reasons by detailing, in a narrative form, a series of events, extending over the last 14 years, which have either fallen under my personal observations, or have been gathered from the records of my office.

6. If, in the course of this narrative, I am compelled to show that the mischievous and dishonouring belief in "khutput" has been kept alive by the acts and decisions of the Bombay Government, I shall at least be acquitted of having failed to suggest the measures which appear to me best calculated to eradicate that belief; for the narrative will point its own moral.

Section II.

1. The existence throughout Guzerat of a firm belief in the efficacy of khutput was brought to my notice soon after my assumption (in 1835) of the office of Political Agent for the Mahee Kantar.

2. That district had long been in a distracted state. It was necessary not only to bring the refractory to obedience, but to adopt measures for preventing a recurrence of the lawlessness which had so long overspread the country, and thus was necessitated an inquiry into the causes of that lawlessness.

3. These were numerous; but the most influential of all was a deeply-rooted and wide-spread distrust of the British authorities, partly founded on certain decisions in cases of disputed succession, which were regarded by the native public as most unjust, and as having been obtained through the influence of bribery.

4. That some of the decisions complained of were really unjust was a conclusion which I was reluctantly compelled to adopt; and the organization of the native political establishments of Guzerat was such as to enable me to reconcile this conclusion with my equally strong belief in the strict integrity of the British functionaries.

5. At that period the political agencies in Kattywur, the Maheekanta, and the Rewakanta, were connected with and subordinate to the Political Commissioner-ship of Guzerat, then held by Mr. Williams. That gentleman's carbarry and confidential native agent, by name Sarabhoy, belonged to a powerful class of Brahmins, known as the "Nagur" or "Snake" caste, a race famed for their subtlety, avarice and unscrupulousness; and in these qualities Sarabhoy was unsurpassed by any of his clan. He had contrived to thrust his sons and other relatives into every post of trust and responsibility in the office of the Commissioner, and in those of the subordinate political agents; and still further to extend the influence of the family, he had secured employment for other members of it in the Judicial and Revenue establishments of the British districts of Ahmedabad, Kaira, Broach and Surat.

6. To the corrupt agency and widely ramifying influence of the Nagurs, aided by the great bankers through whom the bribes were negotiated, and supported by the influence of the Gaekwar, whose agents and co-partners these bankers were, did I attribute the unjust decisions into which the British authorities had been betrayed; and events showed that I was right.

7. Corrupt conduct was proved against many of the leading members of the clan; but the utmost difficulty was experienced in obtaining satisfactory evidence of their guilt. This difficulty was not entirely attributable to the personal and corporate influence of the Nagurs, nor to their alliance with the Gaekwar and the bankers; with pain I discovered that it was in no trifling degree referrible

to the popular belief that they enjoyed the secret favour of Government ; and that Government viewed with displeasure every attempt made to uproot the system of corruption, by which the Snake fraternity were accumulating wealth.

8. In other words, I found that the doctrine of "Khutput" was generally accepted throughout the country ; and I further discovered that its general acceptance was mainly owing to the singular leniency with which Government treated those servants whose guilt had been established ; a leniency which the natives, ignorant of the high moral character of their rulers, were, under the circumstances of the case, utterly unable to account for, except on the Khutput theory.

9. This leniency will be illustrated in the following sections.

Section III.

Amongst the succession cases, the decisions on which had been complained of, was that of Umleara. The litigants were the two widows of Mathajee, the Thakore of that place. The elder of these, named Wajjunbaee, had adopted a relative of her own, whom she placed on the throne, while the younger, Dowlutbaee, had claimed the inheritance for the posthumous son of Mathajee, to whom she had given birth seven months after her husband's death. Wajjunbaee asserted that the child put forth as such was not the son of Mathajee, nor even the offspring of Dowlutbaee, but the child of a kolie, and this tale she supported by such an array of evidence that Mr. Briggs, the Assistant Commissioner, decided in her favour.

2. I had strong reasons for doubting the justice of that decision ; and as only a few months had elapsed since its promulgation, the plea of expediency, deemed conclusive against re-opening long settled cases, could not be urged in bar of re-investigation. I accordingly applied for and obtained permission to institute a fresh inquiry.

3. The facts elicited in the course of that inquiry eventually induced Government to reverse Mr. Briggs' decision ; and in notifying this reversal, Government congratulated itself in having been "enabled to escape becoming instrumental in the commission of a great act of injustice." Bribery and the subornation of perjury had been had recourse to, with the view of effecting the "great act of injustice" in question ; and in the course of my investigations, facts came to light which led me to suspect that two official servants of Government were implicated in these disgraceful attempts to frustrate justice.

4. The suspected individuals were Brijlal, the brother-in-law of Sarabhoy, and who had succeeded to that individual's appointment, and Dowlutram, another Nagur, who was likewise an *employé* in the Political Commissioner's establishment.

5. My report on the Umleara case was transmitted to Government on the 20th of January, and on the 29th of that month I reported my suspicions against Brijlal and Dowlutram. I intimated that there was enough in evidence to justify my proceeding against them ; but I at the same time suggested the postponement of their trial till the final decision of Government on the Umbeara case should be promulgated. Confident as to the nature of that decision, I was in hopes that Wajjunbaee's party, finding that the money which had been spent in bribery was so much treasure lost, would, in the first transport of their disappointment, volunteer evidence of the guilt of the accused ; and till the prestige of Nagur influence had been somewhat shaken by a decision adverse to Wajjunbaee, I had but too good reason to fear that many of the witnesses to be examined would be afraid to give honest testimony against Brijlal and Dowlutram.

6. The acquiescence of Government in my suggestion was thus officially notified to the Political Commissioner, through Mr. Secretary Wathen, on the 29th of July :—

"I am directed to inform you that the investigation of the charges against this person (Dowlutram) should, for the reasons stated by Captain Outram, be postponed till the Umleara case has been decided by Government."

7. On the 3d of September I handed up further incriminatory evidence on the same case ; and in so doing I observed as follows :—

“ In addition to this evidence, some papers belonging to Mehta Roopram, the principal agent of Wujjumbae, have been put into my hands ; and amongst them is a memorandum, said to be in his handwriting, of 5,000 rupees, given to Dowlutram, 2,000 rupees to Brijlal, and a few rupees to other persons. The date of this document corresponds with that on which the bribes were generally supposed to have been given by Wujjunbaee's party ; and as the handwriting of the document can, I believe, be proved to be that of Mehta Roopram, and as it was procured from amongst other papers in his house, it would of itself almost substantiate the charge of corruption against the above-mentioned parties.”

8. Still the arguments in favour of deferring the trial of these men till after the decision of Government in the Umleara case had been publicly notified, remained cogent. And though, after despatching this letter, I proceeded to Bombay, and was in constant personal communication with the members and secretaries of Government, no intimation, not the most distant hint, was afforded me that it was the intention of Government to alter an arrangement which it had sanctioned, on the specific ground that it was calculated to further the ends of justice.

9. Great, therefore, was my surprise that that arrangement had been departed from during my absence. On the 12th of September, that is, as soon as I started for Bombay, Mr. Williams had recommended that Brijlal and Dowlutram should be tried at Ahmedabad, on the ground that this mode of procedure was the most fair to all parties, and best calculated to elicit the real facts of the case.

10. I was not more grieved to find that Government had acquiesced in this proposal, than surprised at the haste with which the proceedings were hurried on in my absence. Within 14 days after the receipt of Mr. Williams' letter, Mr. Secretary Wathen informed that gentleman that the charges against Brijlal and Dowlutram had been entrusted to Mr. Lumsden, the Acting Session Judge at Ahmedabad.*

* Letter of 29th September 1837.

11. Mr. Lumsden was not called on to try these men ; he was simply commissioned to inquire into the charges preferred against them. In reference to this subject, Mr. Lumsden, at a subsequent date, thus expressed himself :

“ The orders I received from Government in reference to Dowlutram and Brijlal, directed the result of the investigation to be forwarded to Government for its ultimate decision ; it was, therefore, no trial, and the best proof of this is the fact that no sentence has ever been passed by me or any other authority.”

12. True, Government deemed fit to consider Mr. Lumsden's investigation a trial, when it was proposed to re-investigate the same charges ; but it is, nevertheless, equally true that when Mr. Lumsden proposed to bring to trial certain witnesses who had perjured themselves before him, Mr. Secretary Reid, on the 23d of June 1838, informed him that they could not be arraigned, inasmuch as the investigation had been simply an inquiry, not a trial.

13. It was an inquiry, and not a trial ; and, as such, there seemed to my colleagues and myself not one valid argument adducible in favour of its transfer from its normal conductors to the Session Judge.

14. It was one arising out of political intrigues, which the political officers could best understand. It embraced within the scope of its elucidatory relations events and persons the mutual bearings of which they could best appreciate, and it was to be determined by evidence of which they best knew the trustworthiness.

15. High, therefore, as was our estimate of the talents, sagacity, zeal and uprightness of Mr. Lumsden, it did not appear to us that he was in a position to conduct the inquiry with a greater prospect of success than one of the political staff. On the contrary, we conceived that the case on hand was precisely such an one as the Political Agent, within whose jurisdiction the offence had been committed, was best qualified to investigate. And we conceived that the investigation should have taken place within the limits of his jurisdiction, on the spot where the alleged crimes had been perpetrated, neither at Baroda, nor at

Ahmedabad, but at Sadra. Of all places, Ahmedabad seemed the very last at which the inquiry should have been conducted. That city was the head quarters of the Nagurs; there dwelt Sarabhoye, and there the accused could not fail to have much personal weight and power; for there, until very lately, had the Political Commissioner's establishment been located.*

16. When these considerations are borne in mind; when it is remembered that the investigation was hurried on two months before the promulgation of the decision of Government in the Umleara case; two months, therefore, before the period fixed on by Government as that at which it could be advantageously taken up; and when, further, it is considered that the investigation was so ordered as to proceed in the absence of the officer who, from his familiarity with the details of the case, might have been able to render the judge much material assistance; when all this is borne in mind, it will not be deemed wonderful that the result of the inquiry was unsatisfactory.

17. Through the conspiracy and perjured testimony of the Thakoor of Gorasur, his Carburry, Goverdhun, Jeebawa, Kumavisdar of Duskrohie, Juggabhoye, and others, Brijlal escaped conviction, though he was admitted by Government to be "not free from suspicion."

18. The evidence against Dowlutram, however, obtained his conviction. And I was anxious that this result, which, under the circumstances of the trial, was hardly to have been looked for, should entail the customary consequences; viz. a public notification in the Government Gazette, that the convict was henceforth incapable of ever again serving Government in any capacity.

19. Such a notification would have gone some way to shake the popular belief in the omnipotence of the Nagurs. Such a notification it had heretofore been the practice of Government to make when public servants were convicted of corruption; and such a proclamation had appeared in the Government Gazette so recently as May 1837.

20. But Government refused to carry out the practice in the case of Dowlutram. And the Chief Secretary was, on the 30th April 1838, commanded to convey the decision of Government in the following terms:

"I am directed, in acknowledging the receipt of your letter, dated the 30th ultimo, to inform you, that the Right honourable the Governor in Council is of opinion, that, under the peculiar circumstances of Dowlutram's case, in lieu of publicly notifying the dismissal of that individual, it is more expedient to notify the same to the authorities under this Presidency in a circular, with instructions that the dismissed should not be again employed."

21. The only circumstances of the case patent to the native public were, that, to use the language of Government, "the guilt of the carkoon Dowlutram had been clearly established;" that guilt having consisted in taking bribes to pervert justice, and thereby to cast dishonour on the British name, by making the British Government "instrumental in the commission of a great act of injustice" towards the fatherless and widow.

22. Can it then be wondered at, that the natives of Guzerat, cognizant of the circumstances above detailed, should have believed the Nagurs, when they pointed to this act of clemency as a new illustration of the secret power they exercised over the Members of Government? They beheld the accomplice of Sarabhoy's brother-in-law made one of the first† exceptions to the rule of public proclamation.

* The only thing that can be urged in favour of the selection of Ahmedabad is, that by the temporary withdrawal of Brijlal from Baroda, Mr. Malet's inquiries into other misdeeds of that individual were facilitated. But the discovery of these was not anticipated when Mr. Williams recommended, and Government sanctioned, the transference of the case to Ahmedabad. And all the advantages that resulted from Brijlal's temporary removal would have been secured by allowing the investigation to be conducted at Sadra.

† I believe the second, the first being Sarabhoy's brother, Chotum Lall. At a subsequent date (11 October 1838) Mr. Secretary Willoughby thus noticed an allusion made by me to the evil effects that had resulted from this act of leniency towards Dowlutram:—

"In respect to the formerly usual proclamations, declaring offenders of the description of Dowlutram and Brijlal incapable of further service in the employment of Government, Captain Outram will observe, that, of late, in no case has it been the practice to issue proclamations; the Honourable the Governor in Council having resolved that such a proceeding ought not to be resorted to, except in
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proclamation. And the Nagurs took good care to inform them, that three weeks prior to the refusal of Government to proclaim Dowlutram, Mr. Sutherland, who had then become Political Commissioner, had sought permission to investigate the authenticity of a document which, if proved genuine, would have convicted Sarabhaee himself of disgraceful corruption; that his letter then remained unanswered.

23. That the popular mind attributed the leniency with which Dowlutram was treated to the illegitimate influence exercised by Sarabhoy and his allied Nagurs over the influential individuals at the Presidency, I know from personal intercourse with the people. And in my subsequent proceedings I had to experience the evil effects of this dishonouring belief. The corrupt were emboldened in the prosecution of their malpractices, and those who could have aided in their exposure shrunk from giving testimony against men supposed to have purchased the friendship of Government. This will abundantly appear in the succeeding sections of this Report.

Section IV.

The parties through whose perjury, and subornation of perjury, the investigation into Brijlal's misconduct was made to issue in the non conviction of that individual, were the Thakore of Gorasur, Motee Goverdhun, his Carbarry, Jeebawa the Kumavisdar of Duskrohie, (in the Ahmedabad Collectorate), Juggabae, Roopram Mehta and Yoolabchund, the Karbharees of Wujjunbaee.

2. Of the guilt of these parties I collected such evidence as it was in my power to procure; and this I submitted to Mr. Lumsden, requesting him to give his professional opinion as to its cogency. He readily undertook the extra-official labour I thus sought to impose on him. And in reporting the result of his investigations, he excused the irregularity of tendering a report which the Political Commissioner had not asked for, on the ground that to "check the prevalent corruption of this province was of such importance to the credit and interests of Government, that it would ill become any public servant to entrench himself behind official forms, and to refuse so trifling a request" as that which I had preferred.

3. He reported, that "during the late investigation, Motee Goverdhun committed wilful and deliberate perjury." But as the investigation had been "an inquiry, not a trial," Mr. Lumsden expressed his belief that in administering an oath, he had acted without the authority of the Regulations; and that, therefore, Motee could not be legally convicted of perjury. "But," proceeded Mr. Lumsden, "to permit so flagrant and so deliberate an offence to pass without notice, would directly tend to bring our courts into open contempt, and to strengthen the prevalent idea of the facility with which the Regulations may be eluded. As Motee is clearly amenable to the provisions of Section I., Clause 1 and 7, Regulation IV. of 1827, I have accordingly required securities in a heavy amount for his appearance to answer the charge, and have written to Government for the original depositions preparatory to handing him over to the magistrate of Kaira, to be committed to stand his trial. * * * Should he be acquitted on this head, he can still be brought to the bar for conspiracy; a crime of a different class, and quite distinct from the charge at present hanging over him. If, on the other hand, he should be convicted and sentenced, the wavering character of the man may possibly lead him to make disclosures which may be of the utmost importance, and if supported by documentary proof, may be the means of striking a blow at many of the first movers of this corrupt system, the salutary effects of which will be felt throughout the country for years."

4. And strongly impressed with the idea that Motee would be convicted, and that the sentence following his conviction would induce him to make important disclosures, which would convict Juggabae and Jeebawa of conspiracy, Mr. Lumsden

very extreme cases, of which Government can alone judge." I had endeavoured to show that this was an extreme case, and that the character of Government had been compromised in native estimation by withholding the only punishment which, beyond dismissal, it was in its power to inflict on a public servant, who had endeavoured to render Government "instrumental in the commission of a great act of injustice," a punishment which had been inflicted so late as May 1837.

Lumsden had recommended that the trial of these men should be delayed, even though the "evidence submitted was certainly very strong, sufficient, indeed, to warrant such a proceeding." Some of that evidence was, however, suspicious and unsatisfactory; and, therefore, to prevent the guilty escaping, he proposed that the trial of Motee, under Section I., Clause 1, Article 7, of Regulation XIV. (1827), should antecede that of his accomplices in conspiracy.

5. But Government took a different view of the matter. In reply to Mr. Lumsden's letter, which had been written on the 7th April 1838, Mr. Secretary Reid, on the 23d June, declined on the part of Government to furnish the depositions which the former gentleman had called for with a view to the commitment of Motee. And he did so on the ground that "as the Court of Inquiry before which he (Motee) had given his evidence, was not a regularly constituted court, no trial for perjury or for giving false evidence, can be entertained against him."

6. That Mr. Lumsden was wrong, and Government right, as to the amenability or otherwise of Motee to the Regulations of 1827, must, of course, be assumed. Giving false testimony in a court, even though it be not regularly constituted, is an undoubted "breach of morality;" and it was one calculated in this particular case "to subvert the peace and good order of society;" but it was probably not a penal offence by "the religious laws" of Motee's community. Be this, however, as it may to the natives, the decision of Government appeared confirmatory of the doctrine of *khutput*. Motee's accomplices of Juggabhaee and Jeebawa, who had committed perjury and been guilty of conspiracy, were suffered to escape; the latter being permitted to return unrebuked to his office of *Kumavisdar* in the Ahmedabad Collectorate, one of the highest in trust and importance that a native can hold, and one which he retains to this day. Motee himself returned to his position as *carbarry* or manager and adviser of his equally culpable master the *thakoor* of Gorasur.

7. I have alluded to this chieftain as one of the conspirators to defeat justice, through whose instrumentality Brijlal failed to be convicted on the first inquiry. He was pronounced by Mr. Lumsden to have been, "equally with Motee, clearly and directly implicated in a conspiracy, to a degree which places him entirely at the mercy of Government." He had, further, during my investigation of the Umleeara case, grossly insulted me in open court, and had thus tended to bring my authority into contempt; conduct for which the dignity of Government and the efficiency of their servants seemed to me to require that a suitable punishment should be inflicted.

8. My opinion on this subject was shared in by Mr. Lumsden, as well as by Mr. Kirkland the magistrate of Kaira; but for long were my representations unheeded; at length, but not till Brijlal had been dismissed on charges unconnected with the Umleeara case, Government did inflict a nominal punishment, which appeared to myself and others calculated only to impress that chief and the community with the erroneous idea that the Bombay authorities bore him a secret friendship.

9. Addressing the Political Commissioner on the 7th April 1838, I expressed myself as follows:

"The evidence is so complete, that it is, I presume, quite unnecessary for me to remark thereon, but although the contumacy and falsehood of the *thakore* are so clearly shown, the extreme insolence of his demeanour before me, in my public *cutcherry*, will be very inadequately understood from the few questions and answers appended to his petition (four days after it was first presented by him), yet quite sufficient ground is therein shown for the display of the displeasure of Government at his conduct, and to show the necessity of upholding the dignity of my office by the most public and marked sense of that displeasure."

"In the confidence that the Right honourable the Governor in Council will be disposed to direct the immediate punishment of the offender, I abstained from imposing on the *thakore* a heavy fine, on the spot, for contempt of court, and *mohsuls* to enforce the same. I contented myself with informing the assembled *thakores* that such contumacy would inevitably be visited by Government with the punishment it deserved, rather than taking on myself a power, the motive for which might probably be misconstrued."

"I submit,

"I submit, therefore, the case of the Ghorasur Thakore to the Right honourable the Governor in Council for such notice as may be deemed proper ; respectfully remarking, however, not merely is it necessary thus publicly to display the displeasure of Government for the support of my authority by his public disgrace, but also is it necessary for the honour and credit of the British Government that some such opportunity should be taken for distinctly expressing its unqualified disapproval of, and determination to uproot, the system of bribery and corruption which has so long pervaded the native establishments in the Political Department throughout Guzerat, by the punishment of all who, as in this instance, participated in such iniquities or assisted in screening the offenders."

*** "The punishment, therefore, of the offence, he (the thakoor) committed before me, will have the double effect of upholding the dignity of my office, and, in some measure, retrieving the character of Government, which I am now called on by a sense of duty and honour distinctly to declare to you is very seriously and generally called in question by the natives in this (part of the) country, in consequence of the misinterpretation to which the late acts of Government connected with the prosecution of the Political Commissioner's establishment both at Ahmedabad and Baroda are liable, misinterpreted as they doubtless have been by the accused, whose interest it is to deter the timid from coming forward, against them by encouraging an impression that there is a leaning in their favour on the part of Government, the justice and forbearance of whose measures, although appreciated by ourselves, are only viewed by them as a continuation of the system practised under our native predecessors, then openly practised, now covertly connived at by the British Government."

10. This communication was written on 7th of April ; it was replied to on the 11th October. Thus ran the decision of Government, as communicated by the Chief Secretary : "In respect to the thakore of Ghorasur, Government are of opinion that he has been guilty of a gross contempt of the Political Agent's authority ; you are therefore requested to summon him, and, with a suitable admonition, pass upon him such a sentence of fine as you may consider his offensive conduct to deserve, and is consistent with his circumstances, reporting the result to Government. Adverting to the 7th and 8th paras. of Captain Outram's letter of the 7th April, I am directed to request that you will inform that officer that the judgment of Government is not to be influenced by public opinion ; that its object is alone to do justice ; and it is not to be doubted that this being seen, the honour of the British name will be amply appreciated."

11. As Government had been already informed by the magistrate of Kaira that the thakore's circumstances were so involved as to be "against his acting honestly in proceedings brought before him," it must have been known that a fine "consistent with his circumstances" could not be very onerous, and an "admonition" to a person, himself exercising magisterial functions, who had been pronounced by Mr. Lumsden to be clearly implicated in a nefarious and successful attempt to defeat justice, was a punishment so strongly in contrast with what, according to public estimation, the nature of his crimes called for, that had it been promptly authorized and sternly administered, it would not have tended much to impress on the community the horror with which Government regarded such offences.

12. But the punishment was not promptly administered ; six months were suffered to elapse ere Government sanctioned it, and when sanctioned, it was inflicted solely on account of insolence offered to myself. His dangerous and hateful crimes were not alluded to, and he was allowed to retain his office of district magistrate. Even viewed as a punishment for his insolence to myself, it was administered in a manner that tended to divest it of all punitive appearance or effect. No apology to myself was required of him ; no means were taken to make the punishment known to the thakores in whose presence he had insulted me. He was to receive his admonition at Baroda, 130 miles from my court, where his offence was committed, and he had it in his power to represent his journey to Baroda as a visit of honour to the Commissioner, paid at the invitation of that officer. This version of the story the Nagurs were likely, for their own sake, to inculcate, keeping the fine entirely from public knowledge,

or pointing to its insignificance as a proof of the slender nature of the indignation of Government.*

13. That Government acted according to what it conceived the behests of justice, is, of course, undoubted; but that in its proceedings the natives thought that they beheld justice illustrated, I can, from my own personal knowledge, confidently deny.

14. Of the other offenders mentioned as having been engaged in the conspiracy by which Mr. Lumsden's inquiry was frustrated, there only remain to be noticed the two Carbarries of Wujjunbaee.

15. These were, with my approbation, placed under arrest by the assistant Political Agent, Lieutenant Wallace; a step, the expediency of which was fully recognized by the Political Commissioner; and the latter, in reporting that Lieutenant Wallace had evidence which he considered adequate to the conviction of Roopchund Magjee, suggested that the charge against that individual should be investigated by myself, and that Government should, if the charge were proved, inflict such a punishment as the circumstances of the case seemed to demand.

16. In reply, he was informed that it had been "lately decided by the Government of India, that persons committing perjury before Commissions assembled by Government, could not, under the (then) existing law, be punished for giving false evidence;" and the two individuals under arrest were directed to be released on furnishing security.

17. This order was given with "deep regret" on the part of Government, nor could it, under the circumstances of the case, have been avoided; still its effect on the public mind was most unfavourable. The mass of the natives of Guzerat could not comprehend the distinction between a "Court" and a "Commission," when that Commission was conducted by an Adawlut Judge, and within the Adawlut buildings. And they had a shrewd idea that, had the investigation been conducted at Sagra instead of at Ahmedabad, the distinction would not have been allowed to screen from punishment those who had deliberately rendered false testimony.

Section V.

Having noticed the measures adopted in reference to the investigations arising out of the Umleeara case, I propose, in this section, to detail some unsuccessful attempts that had immediately been made by Mr. Malet and myself to persuade Government that the state of public opinion was such as to demand its serious consideration.

2. I have already stated that the determination of Government to bring Brijlall and Dowlutram to trial, under the circumstances adverted to in paras. 5 to 9, of Section III., was formed in September 1837, while I was in Bombay, and in constant communication with the Members and Secretaries of Government. The object of these communications was urgently to press on Government the necessity of thoroughly cleansing the polluted political officers of Guzerat, of vigorously prosecuting the suspected, and of unsparingly punishing the convicted.

3. My

* Already, during the new inquiries which Mr. Malet was conducting, had they profited by the delay which had taken place in sanctioning even an "admonition." For they had represented it, not as a delay, but as a final and emphatic denial on the part of Government to heed my representations against the Thakore; a denial obtained through their own influence, in behalf of their own tool and client. And the prestige of that influence had served, while they were under trial, to encourage their creatures in the perpetration of perjury, and to intimidate many, who had damnable evidence, from appearing against them. Thus was one great and principal moral object of the Thakore's punishment totally frustrated by the delay which had occurred in its infliction; for though conviction was obtained, there cannot be a doubt that it would have been more comprehensive and more glaring, but for the delay now spoken of. Not only did the Thakore's punishment, when actually inflicted, come too late to promote the ends of justice at the trial of the Nagurs, by destroying the false prestige they enjoyed of unlimited influence with the Government, a result I had much at heart, but it was in itself so obviously unendowed with high moral aims, that had it gained ample publicity, it would in no degree have tended to impress the natives with an idea of the abhorrence with which false testimony was regarded by Government. It would only have been deemed to show that the Nagurs were not so all-powerful as to deter Government from applying a plaster to the wounded vanity of an outraged public officer.

3. My representations were so far heeded, that when, on the 18th November 1837, I returned to Baroda, I did so under authority, for conferring "with Mr. Williams on certain points whereon that gentlemen had received instructions."

4. These points were, further acts of misconduct on the part of the Political Commissioner's establishment, which Mr. Malet was engaged in tracing out. Such, however, were the official difficulties with which that officer had to contend; so slight and unencouraging was the assistance which Government felt itself at liberty to render him, and so formidable was the combined opposition of the Nagurs, the Gaekwar, and the bankers, all of whom were implicated in the corruption he was endeavouring to uproot, that on the 1st of January 1838, I again returned to Bombay for the purpose of personally representing to Sir Robert Grant the grave features of the case.

5. I carried with me a memorandum, drawn up by Mr. Malet, of secret information, illustrating the disgraceful extent to which the names of high British functionaries had been made use of by the corrupt native officials, who, under the pretence that the money demanded from their victims was designed to bribe European officers of state, succeeded in extorting enormous sums. Of this memorandum I retained no copy; but if not officially recorded by Sir Robert Grant, it must, doubtless, have been found amongst the papers of that gentleman, whose sudden demise took place six months after I placed it in his hands.

6. Mr. Malet, on the 31st December 1837, thus announced the object of my visit to the Presidency: "I have the honour to forward for the orders of Government, a list of cases of bribes, &c., which I have publicly entered on, with translation of the evidence in each case, and a few observations appended.

"Should you require any additional information, I have to inform you that Captain Outram, who leaves this to-morrow for the Presidency, and to whose zealous aid in these inquiries I am much indebted, is fully acquainted with each case.

"I have also requested that gentleman to take charge of a short memorandum of secret information, which, though not yet proved, I have every reason to believe is substantially correct."

7. During my residence in Bombay, I did my best to open the eyes of the Government to the magnitude of the evils, to the uprooting of which Mr. Malet was then addressing himself. I pointed out the almost insuperable difficulties that gentleman had to contend with; and I endeavoured to the best of my ability to show, that unless Government did really second his efforts in a manner which should emphatically prove its cordial sympathy with his labours, the ends of justice must be defeated, and the Members of Government and some of its leading officers must consent to be regarded by the native community as deeply implicated in the Guzerat political corruption.

8. The nature of my representations may be best illustrated by one or two quotations from the letter previously referred to, which I addressed to Sir R. Grant on the 18th of January, prior to my return to Baroda. In alluding to the very great extent to which bribery and corruption has been discovered to have long existed in the Political Commissioner's establishment, I spoke of "the odium which has in consequence been heaped on the British name, and the stigma which it has been attempted to cast on the reputation of some of the most honourable and distinguished servants of Government." * * * I observed, that "the measures proposed by Mr. Malet, and which, at his desire, I have submitted to your Excellency, are, in the opinion of that gentleman, such as will alone enable the Political Commissioner to lay bare the unworthy proceedings alluded to, and convince the natives of Guzerat of the indignation with which our Government views these dishonourable practices. They will then believe that which they now disbelieve, namely, that the British Government is determined to punish all convicted of bribery. * * * Those who hoped to gain their purposes by bribing the Commissioner's establishment, were doubtless misled by a belief that the system which prevailed openly under the native Governments was covertly permitted in ours; and they became the victims of those who robbed them under the shield of Government authority. The sufferers hitherto might, therefore, be afforded every facility for recovering the sums

which, under false pretences, have been extorted from them. Indeed, this is the only mode by which, I fear, the delinquents can be made really to suffer, for of dismissal they are heedless.

“ I would, again, most respectfully venture to urge the necessity for vesting extraordinary powers in the Political Commissioner, to enable him to overcome the powerful opposition of wealth and influence by which he is opposed. * * * To further the ends of justice such powers are required on this occasion, and our best interests demand that every exertion should be made to root out a system of long-continued corruption, to which may mainly be attributed the political embarrassment which has attended our negotiations with the Baroda Durbar, and the disturbed state of Guzerat is doubtless in some degree occasioned by the same evil influence.”

9. This letter I concluded by expressing my readiness, either to give personally to the Governor, or before Council, official testimony to the facts communicated by me privately at the several interviews with which I had been honoured by his Excellency.

Section VI.

1. The necessity that existed for investing the Political Commissioner with greater powers than he then possessed, and the almost impossibility of exposing the guilty, created by the denial of those powers, may be illustrated by two cases under the notice of Government when I made these representations.

2. Among those who had it in their power to throw light on the nefarious practices on the part of the native officers, which Mr. Malet was investigating, was a person of the name of Brijrai, a British subject. This man was imprisoned by the Gaekwar, at the suit of a near relative of Anundrao, karkoon in the Commissioner's office. And though ample security was tendered, even his temporary release was refused by his Highness; nay, he was even denied the benefit of medical attendance, which the Commissioner was desirous he should enjoy. And his speedy death* removed him from the list of those whom the Nagurs had reason to dread.

3. A yad addressed to the Gaekwar, by Mr. Malet, calling on his Highness to state for what cause, or by what authority, he presumed to hold in durance, and refuse bail for a British subject, had been kept back by Anundrao. And Mr. Malet thought it his duty to suspend that official.† With a celerity not often manifested in the correspondence of Government with the Baroda officials, Mr. Malet was ordered to release Anundrao from his suspension, on the ground that it was not impossible that he had no corrupt motives.‡

4. Anundrao was interested in the man's imprisonment; for Brijlal, against whom the prisoner's testimony was desired, was Anundrao's relative. The imprisonment had been effected at the suit of another of his relatives; and the yad calculated to put a period to that imprisonment, and thereby imperil Brijlal, Anundrao had himself kept back. These circumstances seemed to Mr. Malet and myself to imply “ corrupt motives ” as clearly as motives can be implied by circumstances.

5. But Government thought otherwise. And this man, on whom Mr. Malet placed no confidence, and whom he had more than suspected of corruption and bribery in respect of other matters, was thrust back into an office of trust and responsibility, despite the wishes of the head of that office, who was answerable for all that was done in or emanated from it; and this, too, at a time when the principal business transacted in the office was an investigation into the alleged rascalities of the man's own near relatives. How little he deserved the generosity and forbearance thus shown to him, and what embarrassments arose to the political authorities from his continuance in office, may be gathered from the following letter, which Mr. Sutherland addressed to Government on the 28th March 1838 :—

“ The

* Reported in letter, dated 9 February 1838, No. 90, as having occurred on the 4th February 1838.

† Letter dated 8th October 1837, No. 874.

‡ Letter dated 29th October 1837, No. 2434.

"The state of my establishment generally, and the present suspension and discharge of its members, renders it essential that those performing duty should display exemplary exertions, and do what is required of them with faith and zeal. I regret to represent that the head karkoon, Anundrao, had adopted a different line of conduct, notwithstanding the recent favour of the Right honourable the Governor in Council, in restoring him to office when suspended by Mr. Malet; and from an evident desire to embarrass business in the hands of persons of less experience (with a view to manifest his own superior usefulness), has thwarted me on several occasions. Such unworthy conduct on the part of this man, who holds a place on the establishment he is in nowise, at this day, competent to fill, has led me to a particular inquiry into his value as a public servant. I commenced business with him, but was, from his total want of capacity and fitness, compelled to set him aside."

6. The construction put by the natives on the conduct of Government, was the same as that which had been placed on the other Government proceedings in which the Nagur faction and their creatures had been tenderly dealt with. And the dishonouring interpretation which the native community affixed to the procedure of Government, in the case of Anundrao, was extended to its conduct in reference to Anundrao's brother, Carkoon Dadoo Punt.

7. Against this individual, another relative of Brijlal, charges of bribery had been so clearly substantiated, that Mr. Malet deemed it his duty to put him in confinement. In reporting that he had done so, Mr. Malet thus expressed himself:—

"The evidence is complete. I have therefore confined Dadoo Punt till the pleasure of Government is known."

8. This letter was written on the 25th November 1837. On the 19th December, the Bombay Government informed Mr. Malet that he had "acted inadvertently" in placing Dadoo Punt under restraint; it directed that individual to be forthwith released; and it intimated that "he should have simply been suspended from office, and, if necessary, security taken for his appearance." The Secretary thus proceeded: "With reference to the remarks in the concluding part of your letter, the Governor in Council instructs me to inform you that Brijlal is not amenable to the regulations for any bribes he may have received at Baroda; nor is there any law by which native servants employed in the Political department, guilty of receiving bribes, can be punished, otherwise than by dismissal from the public service." The letter concluded with instructions to the effect, that all proceedings in the cases referred to, should be postponed till the arrival of Mr. Sutherland, the newly-appointed Resident.

9. This letter Mr. Malet acknowledged on the 27th December; and in so doing expressed himself as follows: "My letter of the 18th instant will have informed you that a far heavier charge than that of bribery hangs over the head of this person (Dadoo Punt). I have, therefore, still retained him in confinement pending the orders of Government in that case. * * * An accusation is on oath against Motee Purshotum. I have also confined him; but in consequence of the letter now referred to, I felt obliged on the day of its receipt to release him on bail. I have, however, taken on myself to keep the instructions of Government secret, and have made it appear that his dismissal, instead of severe punishment, will depend on his endeavours in tracing some serious charges against others of the establishment which he communicated to me. * * * I regret that my conduct in the instance of Dadoo Punt has subjected me to the charge of inadvertence. I was aware, at the time of his committal, that the Regulations of Government did not apply to Baroda as a foreign state. Had it not been so, specification 3, clause 2, section 3, chapter 1, Regulation XI. of 1827, would have guided my proceedings. But I certainly was not aware that Government had not the power to punish as a political offence any crime of which its servants holding situations in the political establishments might be proved guilty. * * * On the 26th October I communicated my suspicions to Government, that far more than the authorized intercourse took place between the Residency establishment and the Gaekwar Government. These suspicions were not lightly formed, but had grown up in the course of years from circumstances (lately of almost daily occurrence), and from information repeatedly received from different quarters, into a certainty wanting only direct proof from

the almost impossibility of proving it, the absence of which does not cause in my mind more doubt of the fact than I should entertain in any matter fully proved, of which I had not been an ocular witness. On the 4th instant I was directed to institute a rigid inquiry on the subject of the suspicions above adverted to. The very nature of the offence points out the exceeding difficulty of proof, and the secrecy necessary in pursuing the investigation. As the first step in the latter, I considered it absolutely necessary to confine Dadoo Punt; and I took the opportunity of a bribe fully proved against him to do so, thereby inflicting no injustice on him, and doing no more than my duty to Government. By these proceedings my inquiries have been so far aided, that I hope to procure proof of corruption on a scale that, even had I not been justified by the more serious charges against Dhondoo Punt in retaining him in confinement, I should have considered myself bound to delay his release, secure of finally obtaining the sanction of Government to such a proceeding."

10. It unfortunately happened, that two days after penning those observations, Mr. Malet felt constrained to release Dadoo Punt on bail, in consequence of a representation from Dr. Arnott, that his health was likely to be seriously compromised by further confinement. This procedure he reported to Government, and in reply was briefly informed that the arrangement was "approved of."

11. The arrangement was, under the circumstances of the case, perhaps unavoidable. But its consequences were just as Mr. Malet had anticipated; just as any man of common sense, residing on the spot, must have foreseen. Dadoo's collusion with the durbar, of which no moral doubt could be entertained, could not be legally established, and he was ultimately simply dismissed the Government service on a charge of bribery, with which he was implicated conjointly with Brijlal.

Section VII.

The next case I propose to notice, is that of Motee Lall Purshotum, the head carkoon of the Rajpeepla Political Agency.

2. Against this servant, Lieutenant Ramsey, the officer in charge of the agency, preferred charges of bribery and corruption in 1835. On the 6th of November of that year, the Political Commissioner directed Mr. Erskine to investigate the charges; and, on the 11th January 1836, the latter gentleman, in reporting that his approaching departure would prevent any further proceedings on his part, thus expressed himself:—"I need not add, that I have not been able to form any opinion as to the validity, or the contrary, of the charges. I cannot avoid, however, bringing to your notice that it has been evident from some papers that have come before me, that Motee Lall had been in the habit of obtaining the signature of the officer in charge of the department, to receipts purporting to be for certain sums of money recovered, and paid to persons who had been robbed, in which the sum was not mentioned, but a blank left in the Guzerathee receipts."

3. The guilt of Motee was an article of general belief, not only at Rajpeepla, but in all the Mewasee villages of the Tullakwarra Purgunnah. Had any doubt ever rested on Lieutenant Ramsay's mind as to his guilt, it was removed by the accused offering him a bribe of 10,000 rupees to stay all further proceedings. And Lieutenant Ramsay was confident that he would ere long be in a position to establish all his charges by clear and conclusive evidence.

4. This, however, he was not permitted to do. The Bombay Government Gazette of the 28th January 1836 contained a general order abolishing the two military commands at Nandode and Veerpoor, the former of which was held by Lieutenant Ramsay. And the political control of Rajpeepla, which had hitherto been confided to the officer holding the Nandode command, was transferred to Mr. Malet, first assistant to the Political Commissioner. The order of abolishing the two commands referred to, was declared to be based on a resolution passed in the Political Department on the 9th of January 1836. Many days, if not weeks, before Government were apprised that the head of the Political Department at Rajpeepla had been in the habit of signing blank receipts.* Its obvious

* It appears from Mr. Williams' letter to Government, dated 16th June 1836, No. 459, that Mr. Erskine's Report of the 11th June never was forwarded to Government; the first allusion to it to be found in any communication from the commission to Government being therein contained.

obvious cause was a regard to economy, the commands being "placed on the same footing as Porebunder." And as no fault had ever been charged on Mr. Ramsay, he could not call in question the fairness or propriety of the new arrangement, however much he might regret being removed from an office the duties of which he had, I presume, discharged with as great efficiency as any other public servant, and from a people whose welfare he had deeply at heart, and whose good-will he had undoubtedly secured. But he did deeply deplore being debarred the honour of taking a leading part in the exposure of a foul and gigantic system of corruption, which had brought the British name into odium and contempt.

5. So much did he regret this, that he made a personal reference to Mr. Williams, with the view of obtaining that gentleman's countenance for an application he wished to make, for permission to remain a short time longer at Nandode, to prosecute his charges against Motee; and he probably felt the more encouraged to prefer such an application from the circumstance that the order abolishing the two commands, while it instantly remanded himself to his regiment, permitted Captain Forbes, the Commandant of Veerpoor, to retain his command till the 1st of June.

6. Mr. Williams, however, * the application, on the ground that the Government order could not or would not be modified or revoked. And Lieutenant Ramsay proceeded to his regiment, little doubting that though he himself was denied all participation in the investigation, Moteelal would be legally convicted of the charges laid against him.

* S. O.

7. These charges, as have been seen, Motee had morally convicted himself of by offering to bribe Mr. Ramsay, and that gentleman was most anxious that the attempt to bribe should itself form the subject of a judicial investigation. But he was informed that it was useless to make a separate charge on this ground, there being no evidence on which to obtain a conviction. This attempt to bribe was, therefore, not officially reported to Government.

8. The investigation of Lieutenant Ramsay's charges, which had been suspended in consequence of Mr. Erskine's transference to Kattywar, was, on the arrival of Mr. Courtney, entrusted to that gentleman. The result was thus announced by Mr. Williams on the 16th June 1836; "While this patient and thorough investigation completely exonerates Moteelal and Jadoorjee from the charges against them, it exposes on the part of their accusers the most unblushing and extraordinary disregard to truth that has ever yet fallen under my notice. It is not to be wondered at that, tempted and threatened by designing persons inimical to Moteelal, they should first of all have made accusations before Lieutenant Ramsay, which they probably supposed would never be further inquired into. But that they should have positively sworn before Mr. Erskine to the truth of statements they intended at that time to deny (as appears by their fresh evidence) is surprising. * *. While forwarding these reports, I wish to express my satisfaction with Mr. Courtney's very patient and laborious investigation, and the pleasure I feel at the result; Moteebhaee has been many years employed in the very responsible situation of karkoon at Nandode and head assistant to the officer in charge of the rewakanta; his conduct has always been considered most praiseworthy.

9. The acquittal of Moteelal Purshotum, which had given such "pleasure" to Mr. Williams, and which would seem to have been a source of equal satisfaction to Government, is easily explained. All the thakoors who had come forward and acknowledged to Lieutenant Ramsay that they had been driven to offer bribes to Motee, were staggered when they found that just as that gentleman was renewing his efforts to obtain Motee's conviction, he was summarily removed from his appointment.* This measure they believed to have been effected

* Extract of a letter from Captain Ramsay, dated Deesa, 12 June 1850. I did indeed, to my cost, endeavour to root out the bribery and corruption going on in the territories of the Raja of Rajpeeppla, when I was in command and political charge of Nandode in the year 1835. Not only there, but in all the Mewasee villages in the Tillerkwarra Purgunnah, Moteelal, head karkoon, of the Rajpeeppla agency, had made a pretty good deal of money by bribes and extortion, and certainly I should have convicted him if I had been allowed to remain there. It was, however, ordered otherwise, and the

effected by Mr. Williams at the instigation of Brijlall, his Nagur head carkoon, who was a relative of Moteelal's, and its object they conceived to be the prevention of Motee's conviction. They were threatened with persecution and ruin by Motee if they did not aid him in his difficulties. The death of a Brahmin, it was told them, would lie heavy on their souls, and to remove any scruples that might still tend to prevent them perjuring themselves, they were offered the restoration of the sums they had previously given in bribery.

10. But I anticipate. Suffice it to say, they did perjure themselves before Mr. Courtney. Their perjury led to Motie's acquittal; and that result of Mr. Courtney's investigation which had given such "pleasure" to Mr. Williams, was thus noticed by the Secretary to Government on the 5th October 1836:—

"The perusal of these reports has occasioned the Governor in Council infinite concern, and he desires me to state that in his opinion a more abominable conspiracy was never entered into with the object of ruining innocent men, than is exemplified in the proceedings."

"The Governor in Council entirely concurs in the conclusions at which Mr. Courtney has arrived on the termination of this patient and laborious inquiry, with which, happily for the accused, he has been entrusted."

"The Governor in Council directs me to observe, that in the majority of instances, the innocence of the carkoon Moteelal is established beyond doubt, even without reference to the recantations of his accusers by the public accounts in his possession."

"The Governor in Council cannot avoid remarking, that had Lieutenant Ramsay taken the trouble to examine the accounts in the first instance, he could not have failed to arrive at the same result with Mr. Courtney, or to have detected the vile combination at the outset; a remark which in some degree applies to Mr. Erskine's subsequent inquiries. Were the parties to the plot against Moteelal amenable to our regulations, the Governor in Council would not have hesitated to propose that they should be indicted for perjury; but as this is not the case, he directs that they be informed that Government regards their infamous proceedings with the utmost detestation." * *

"Although Moteelal has disproved the most serious charges preferred against him, yet the Governor in Council deems his conduct not altogether free from blame. He is acquitted by Mr. Courtney of corrupt motives, but the practice of mixing himself up with the pecuniary transactions of the chiefs whose conduct he was to watch, and particularly his purchasing for them clothes at Ahmedabad, the Right Honourable the Governor in Council considers to have been highly irregular and objectionable; and he should be strictly warned against committing improprieties in future."

"In conclusion, the Honourable the Governor in Council instructs me to state, that the assiduity and intelligence displayed by Mr. Courtney, on this first very serious occasion on which his services have been required, are highly commendable, and may be regarded as a satisfactory proof of his fitness for the situation in which he has been placed."

11. The guilt of Motee was well known in Guzerat. The dismissal of Mr. Ramsay had been noted and discussed. The implied censure on that gentleman, and on Mr. Erskine, for not arriving at the same result as Mr. Courtney, was duly promulgated by the Nagurs. They likewise took care to proclaim the high eulogium passed on Mr. Courtney for the assiduity and zeal displayed by him in an investigation which had resulted in the acquittal of a great villain; and they subsequently contrasted this high and cordial eulogium, with the somewhat rough acknowledgments received by those officers whose decisions, unlike that of Mr. Courtney, were in conformity with the real merits of the case, and adverse to the Nagurs. The result was, that the hands of the Nagurs were strengthened;

man gained a victory over me. Before I left Nandode, Moteelal offered me 10,000 rupees to hush up the matter, which was proof positive of his guilt, and I made sure of his conviction.*** On the 23d January 1836, the government abolished the commands both at Nandode and Veerporr. All the Thakores and chiefs who had come forward and acknowledged to me that they had been made to give bribes to Moteelal, were taken completely aback when they were informed that my appointment had been taken from me by the Government, and they could not but believe that it was caused and effected by Mr. Williams at the request of his head carkoon, a Nagur and relation of Moteelal's, to take me away from effecting the conviction of the latter."

strengthened; their creatures were emboldened; and they who could give evidence against Motee were more than ever discouraged from doing so.

12. But all their efforts could not save their crimes from partial exposure. On the 27th December 1837, Mr. Malet, in deprecating the order for the release of Dadoo Punt, thus expressed himself in reference to Motee.

"A charge of bribery was made on oath, on which I confined him, as the only method by which I could prevent his recurrence to a system of counter bribery, suborning evidence and threats by which he has before defeated the ends of justice. In the case in which I placed him in restraint, he had not scrupled to alter records, the full proof of which, namely, the production of the original leaves, I could not have hoped to procure, had he been at large. This crime is of so grave a nature, that should he not fulfil the engagement under which he is now released, and to which he considers that he altogether owes his enlargement. I do not see how his re-confinement is to be avoided, as mere dismissal from his employment, which he absolutely petitioned for as the reward of his services to be performed, cannot be considered an adequate punishment." On the 30th December Mr. Malet forwarded evidence of a bribe of 351 rupees having been received by Moteelal from the Thakore of Chalais; he reported* that "the payment of the money is clearly established; and as no instalment at that period was due by the Thakoor, there can be no doubt of the motive of the payment. * * On receipt of this charge on the 15th instant, I confined Motee Purshotum, but on the 24th I liberated him on bail to appear when required. On the 29th, however, having received evidence that he was sent in by the Rajah of Rajpeepla to be present at the examination of accounts which he had forwarded on my requisition, and which contain items of bribes now under preparation for transmission to Government, had been sent back by him with instructions to prevent the arrival of other persons whom I had called for as witnesses to similar transactions, I found it necessary again to place him under restraint. A statement now in progress, in which, amongst numerous items, there are entries of money paid back by Moteebhoye during the investigation into the charges against him last year, will show that this measure was unavoidable."

13. The reply of Government dated 13th February 1838, was to the following effect:—"This case appears to Government to be conclusively established against the above individual; at all events it is difficult to imagine that the accused can possibly refute the strong body of evidence by which the charge has been supported; this individual, however, has not yet been put on his defence, and it does not appear that he was present when the evidence was taken against him. The Governor in Council is therefore of opinion, that the opportunity of defence, and of cross-examining the witnesses, should be allowed him before a final decision can be passed. Motee Purshotum being under restraint in consequence of some improper proceedings connected with the investigation in progress at Baroda, Government is pleased to authorise you to exercise your own discretion in either continuing him in confinement, or releasing him; but direct that at all events he be released whenever the ends of justice will not be defeated by his liberation. In conclusion, I am directed to state, that the Governor in Council considers Mr. Malet deserving of every credit for the able manner in which he has conducted this inquiry."

No. 288.

14. The satisfaction thus expressed at Mr. Malet's proceedings, encouraged Mr. Sutherland to hope that henceforth every facility would be afforded him in bringing Motee to justice, and that Government would cordially concur with him in the infliction of adequate punishment on this rascal, when no moral doubt could longer exist of his guilt. On the 17th of March 1838, he reported the results of his further investigation into Motee's case. This had issued in convicting the latter of having taken a bribe of 351 rupees. In reporting the conviction, Mr. Sutherland exposed the manœuvres resorted to by Motee with the view of overturning the evidence formerly adduced against him during Mr. Malet's inquiry; and he thus alluded to some of the difficulties with which he had to contend:—"In the investigation of this case I have experienced the difficulty

* Letter to Government of 30 December 1837, No. 935.

difficulty that arises from the inadequacy of our influence when opposed to measures that are distasteful to the Prince of the country. It is obvious to me that the side of corruption has been espoused, and is warmly supported by his Highness; for I have to inform the Honourable Board, that on representing the misconduct of the Mujmoodar, Lalbhoye, throughout the matter, with a view to insure proper notice being taken of his perjury, as well as for being illegally concerned in presenting money to one of our carbarries, to insure good offices, and obtaining the alteration of books to cover their misconduct, his Highness sent no reply," &c.

15. Had Mr. Sutherland added, that the difficulties of his investigation had been very materially enhanced by the general belief that obtained of the unwillingness of Government to prosecute the Nagurs, he would have said no more than he himself knew to be the case; no more than was a matter of notoriety throughout the province. Such a belief the Nagurs had done their best to cherish in the minds of the people; and the interpretation they had given to the past acts of Government, and to the termination of Mr. Sutherland's inquiry, they pointed, as further evidence of the good-will borne them by the Bombay Government.

No. 932.

16. Mr. Sutherland had not deemed it necessary to report his proceedings more minutely than was the wont of political officers to do, in transmitting the result of their judicial investigations. But on the 18th of May 1838 the Bombay Government directed its secretary to write as follows: "In reply, I am instructed to apprise you, that it is deemed very desirable that the full evidence in both these cases should be laid before Government, together with the full defence of the accused parties."

17. In making this unusual requisition on Mr. Sutherland, Government was of course actuated by the most sensitive love of justice, desiring themselves to sift and weigh the whole of the evidence available for the elucidation of a case which had been characterized by so much false testimony. But the result of that requisition was much to be regretted; the Nagurs knew that Government were well aware of the crippled state of Mr. Sutherland's establishment, and that it was with the greatest difficulty its diminished numbers could get through the ordinary work of the office; and they doubtless pointed to this order of Government, an order involving heavy labour and necessitating great delay, as another proof, that while the satisfaction expressed by Government at the result of Mr. Courtney's labours was genuine and sincere, that notified in respect of Mr. Malet's investigation was simply an official sham.

18. Whether the crippled state of Mr. Sutherland's establishment, conjoined with heavy demands on his time for other duties, prevented him complying with the order of Government, or whether the fact admits of other explanation, I cannot say; but no further notice of the case under reference exists on the records of this office.

19. But Motee's guilt was not destined to escape undetected.

20. On the 15th November 1838, Mr. Sutherland handed up a fresh case against him, in which he had found Motee guilty of taking a "conditional note for 401 rupees, to be paid on his effecting a certain object for a Thakore in the Rewakenta," thus expressing his decision: "All the points of the case are as clear as possible; and on a consideration of the whole, it does appear that Motee took a note from Lalbhaee for 401 rupees, payable by the firm of Kandass Wagjee, who noted acceptance thereon, on condition that Motee should effect a settlement of outstanding demands of the firm, in which Lalbhoye had a share on the Sechore Thakore. The note was passed some years before, and Motee does not appear to have had an opportunity to assist until the beginning of last year, when in * of the object for which the note was passed, he did actually compel the Thakore by his influence and compulsory process to come to a settlement of the outstanding balance due to the firm of Kandass Wagjee, and place the matter in a train of liquidation, and which became easier from forcing him thereafter to give that firm as his Nishadar for the tribute of that year."

* S. O.

"From the above finding we see what these bold men have not hesitated to do, resorting to written instruments to secure the fruits of their unworthy conduct; and as punishment does not reach persons situated as the accused, in like manner

as it would do a revenue officer for the same offence, under the last part of Clause 2, Section XI., Regulation XVI. of 1827, the only resource left, is to recommend strongly, that Motee Purshotum may be dealt with as a convicted revenue officer would be by law under Clause 6, Section X. of the same Regulation ; viz., by declaring him incapable of again serving the Government."

21. And on the 27th of the same month, Mr. Sutherland transmitted other proceedings, which had issued in convicting the same offender " of having paid back to Sahib Khan Thakore of Wujjuwara, and Ranee Sing Thakore, of Mandwa, Rs. 2,103. 3. 3. to the former, and 1,940 rupees to the latter ; these sums having been formerly received by him as bribes, and being thus paid back during the investigation before Mr. Courtney in 1836, to induce the Thakores to deny their former evidence."

No. 989.

22. In handing up this second charge, Mr. Sutherland thus strongly expressed himself: "I have considered the case fully and clearly established, and that Motee's conduct is of so infamous a nature, that I have recommended him for dismissal, and to be declared incapable of again being employed in the public service."

23. In his judicial finding, Mr. Sutherland employed still more impressive language. "There is not" he wrote, "a shadow of a doubt on my mind, that Motee is guilty of refunding the monies stated in the manner laid in the charge"; and equally free of doubt was he that the accused had been guilty of the foulest subornation of perjury, "stopping at nothing to retain his place." But it is better that I should give the finding entire; and I would respectfully but urgently beg, that the strong facts and strong language in which these facts are set forth by Mr. Sutherland, be borne in mind, when the reply of Government, declaring the evidence to be inconclusive, comes to be considered.

"This case arose out of charges of bribery brought against Motee, the native agent in Rajpeepla, and paid by that state, but generally employed by the first assistant Political Commissioner, or officer in charge of the Rewakanta, in all matter within his jurisdiction. The Thakores who appear in the case, gave evidence against Motee in the first instance, then after retraction, denying the truth of their first statements, and have now come forward, declaring that the dread of Motee's revenge, and of his power to distress and ruin them, from the influential situation he held over them, led them to perjure themselves."

"The contrition expressed at their conduct, and the unreserved manner they gave their evidence before me, which generally corresponds with what has been deposed by others, has conveyed to my mind the impression that the truth has now been told ; and we may fully credit the charge at this time exhibited against Motee."

"It appears that Motee, seeing the ruin awaiting him if the charges originally brought against him were established, did do his utmost, by threats and intimidation, as well as restoring bribes he had received, to turn the witnesses from the truth, and thus led them to perjure themselves, by declaring that which was false, after the truth even had been deposed to by them."

"Motee, on finding the principals, the two Thakores of Wujjeereea and Mandwa, ready to meet his wishes, repaid to them the monies stated in the charge, through the agency of the banking firm of Bhugut Panik of Baroda, in manner following."

"Saheb Khan, the Thakore of Wujjeereea, received from the firm mentioned, on account of Motee, an order for 2,103 rupees, drawn by Lukeemeedass Gokul on Lukmeedass Gokul, of Dhubae, which money was taken up in due course, and distributed among a number of other Thakores entitled to share in the return money. The bankers concerned, exhibiting extracts from the books ; and a goomashta, in one instance, and a principal in the other, have sworn to the same."

"In like manner Thakore Raising, of Mandwa, received from the firm of Bhagul Panik, on account of Motee, an order for 1,905 rupees on Bhugwundass Kishundass, of Chandode. The bankers concerned have sworn to the same."

"Their respective carbarrees have also deposed to the facts stated."

"There is not a shadow of doubt in my mind that Motee is guilty of refunding the monies stated, in the manner laid in the charge ; and that he has, through his influence, led the Thakores and others to perjure themselves, stopping at nothing to retain his place, which exposure had nearly lost for him, and was

only preserved by adding to his previous crimes, infamous conduct,—that of subornation of perjury.”

“The iniquitous proceedings of this person have been set forth distinctly. He threatened and cajoled the Thakores, and went so far as to lead them to imagine they would have the death of a Brahmin to answer for, if they persisted in telling the truth against him.”

“Motee’s cause is an instance of a base-minded person exhibiting a strong characteristic of [*illegible*] in foiling attempts to bring home to him guilt, founded on the clearest evidence, by perverting the minds of those men over whom he had sway, and to whom it was his duty to have taught lessons of morality, instead of the reverse. With such force was his influence exercised, that his instruments alone suffered in reputation, as they had heretofore done in pocket.”

“The effect of the present conviction reflects a light on former proceedings, leaving no opening for anything else than the most unfavourable opinion of Motee’s depravity.”

“In this case his Highness the Gaekwar, in the most wanton manner, obstructed me in obtaining inspection of original account-books, although one of the witnesses actually agreed to bring the same to the residency, before the interference took place.”

“The complicated misconduct of Motee, as exhibited in the case, warrants me in requesting his dismissal; and as a person of no principle and unworthy of employment, that he be declared incapable of again serving the Government in any capacity.”

24. These charges, it has been seen, were transmitted respectively on the 15th and 27th of November 1838. Both of them must therefore have been before Government on the 1st or 2d of December; and I cannot but deem it peculiarly unfortunate that the final decision of that body, as to the disposal of Motee, was not reserved till both had been fairly considered; such, however, was not the case. The award of Government on the first charge was notified on the 18th of January; that on the second, not until the 9th of February.

25. On the 18th January the Secretary announced the opinion of Government, that the first case was “not free from doubt,” and he was instructed to detail the considerations which induced Government to give the accused the benefit of certain charitable constructions. He was, however, directed to add, “Although Motee has made no use of the bond, still he committed a great breach of his duty in taking it, and has proved himself unworthy of the further confidence of Government. The Governor in Council is therefore pleased to confirm the decision passed by you in this case; and accordingly directs that Motee Purshotum be dismissed from the public service; but I am directed to state, that Government do not consider that he should be publicly declared incapable of ever again serving Government.”

26. On the 9th of February, Government thus notified, through its secretary, its decision on the second charge against Motee: “In reply, I am desirous to inform you that the Honourable the Governor in Council entertains considerable doubt if much weight is due to the evidence of witnesses who have spoken so falsely, as the principal witnesses in this case appear to have done, and which evidence in a judicial investigation would not be valued. Under all the circumstances of the case, Government do not think that such reliance ought to be placed on the evidence as to warrant the confirmation of the finding and sentence; and further, Motee Purshotum having been already discharged from the public service, no further proceedings against him appear called for.”

27. I have said, that I think it peculiarly unfortunate that Government did not defer passing sentence of dismissal on Motee till they had deliberated on both the charges, the judicial investigations of which were at the same time lying before them.

28. The grounds on which I respectfully venture to express this opinion, are as follows: Had Government weighed all that was adduced in the second case before giving a final decision on the first, the cumulative weight of the two sets of testimony, against a man whose conduct had been so frequently branded as nefarious by their officers, would, I think, have inclined them to consent to the public proclamation of what they admitted to be the case; viz. that Motee

was

was "unworthy of the further confidence of Government," a sentence which on course implied that he was hereafter to be deemed incapable of further serving Government.

29. Again, it appears to me, and in stating my opinion, I do so with diffidence, and in unfeigned respect for the honourable gentlemen whose decision is under notice; it appears to me, I repeat, that Government having already decided on the disposal of Motee, did not apparently give that deep and patient consideration to Mr. Sutherland's judicial proceedings in the second case, which they had bestowed in those of the first, and the bestowal of which had enabled them to discover grounds of doubt in behalf of the accused, which had never occurred to Mr. Sutherland in the course of his patient and laborious investigation. I cannot but think, that had not Motee's discharge divested the proceedings in the second case of much of their interest, and apparent importance, it would have been observed that Mr. Sutherland's finding and sentence had not been solely founded on the evidence of the Thakoors, who had before perjured themselves.

30. On the contrary, he had adduced the testimony of the Mehta, through whom the money had been paid back to the Thakoor of Wujjura, and others. Secondly, he had given the evidence of the bankers, through whom Motee had caused the refund to take place, and who exhibited their books in confirmation of their parole testimony; and "a Goomashta in one case, and a principal in the other, swore to the same." In like manner, the bankers concerned had, on oath, testified to having paid the 1,905 rupees to the Thakore of Mandwa. Further, Mansing Dada deponed to his having been present when the money was repaid to his Thakore, and to having heard the agent employed explain the nature of the transaction. And Moteeram Wunya had detailed, in the most circumstantial way, the manner in which his master had been induced to bribe Motee in the first place, and subsequently to receive back the money. These witnesses had not before perjured themselves. Their evidence is clear, detailed, and minute; and it bears an air of verisimilitude. It was not shaken by the cross-examination of Motee, nor by the counter evidence he adduced; and it corroborates, in every respect, the voluntary testimony of the Thakoors, when first they divulged Motee's rascality, as well as that which they ultimately tendered to Mr. Sutherland, when they, in a manner which left no doubt on that experienced gentleman's mind as to the truth of their statements, explained the mingled threats and cajolery, under the influence of which they had perjured themselves before Mr. Courtney.

31. That much evil resulted from the Bombay Government declining to comply with Mr. Sutherland's strongly expressed desire, that they would publicly proclaim Moteelal Purshotum unfit for employment in the public service, is now a matter of historical notoriety.

32. Of his guilt no one in Guzerat entertained the slightest semblance of a doubt. It was well known that evidence of his guilt—evidence here supposed to be such as must carry conviction to the minds of the most sceptical—had been forwarded to Government. And on the decision of Government, in reference to this great criminal, becoming known at Baroda, Motee had no great difficulty in representing this decision to have been the result of "Khutput," effectually made at Bombay. These representations had their due influence at the Gaekwar's Durbar; and the Gaekwar himself, who like his courtiers, had been an attentive observer of the proceedings of the Bombay Government, gave credit to the assertions of Motee. He had, he thought, seen enough to satisfy him that the Bombay Government, far from viewing with the abhorrence expressed by the local officers, the corruption which the latter had endeavoured so zealously to uproot, was itself under the thralldom of that corruption. He consequently took measures in 1840, scarcely a twelve-months after these events, to bribe the authorities by a wholesale system of mercenary reduction, the particulars of which were brought to light in the well-known Dhackjee Dadajee's affair. And this Motee Purshotum, whose influence with persons in authority at the Presidency, had in the Gaekwar's opinion been demonstrated by the favour shown to him by Government, was selected by his Highness as one of the principal agents to be employed in the nefarious attempt.

33. To illustrate the part performed by Motee in this piece of rascality, I subjoin the following extract from the report of the Advocate-general, dated 31st January 1843 :

* 11 June 1840. " Indeed, there seems no reason to doubt, but that his Highness before the late Mr. Sutherland's death,* finding his position becoming critical, and that little hope existed of getting rid by open negotiation, of the distasteful requisitions that were being pressed upon him by the British Government, formed the design of bribing largely those members of the Bombay Government who were in a position to give effect to his wishes, and that Gopallrow Myral (his minister in fact, though not regularly appointed) and Bapoojee Anund, the confidential Carbarry of Gopalrow (and probably the prime mover in the whole affair) were authorised to communicate, through fitting agents, that they were prepared to expend money for the above purposes, if matters could be arranged. Dhackjee Dadajee's long intimacy with Sir James Carnac, naturally pointed him out as the fitting channel of reaching the late Governor of Bombay, while a former clerk of the political secretary (in whose department the Gaekwar's affairs were transacted), named Moteelal Purshotumroy, and one Mahadeo Bhow Poorrunick, were the parties chosen to approach Mr. Willoughby. The sums ultimately authorised (as Huralal states), on the supposition that successful negotiations had been made with the undermentioned gentlemen were as follows :"—

" To Sir James Carnac	-	-	-	-	Rs. 1,000,000
„ Mr. Willoughby	-	-	-	-	250,000
„ Mr. Reid	-	-	-	-	60,000
„ Shree Crustna	-	-	-	-	36,000
„ Dr. Brown and all the minor parties	-	-	-	-	110,000
TOTAL					Rs. 1,456,000

33. To the above might be advantageously added several extracts from the evidence adduced in the investigation of the Dhakjee Dadajee's affair. But what has been quoted will suffice to show how much more correct was the estimate of Moteelal, made by Mr. Sutherland, than that arrived at by the Bombay Government; and it will, I think, in some degree prove, that the Government displayed more of excessive leniency than of stern justice or wise foresight, when they declined publicly to proclaim what they had officially notified to Mr. Sutherland; viz. that Motee was totally unworthy of the further confidence by Government; that is, for further employment.

Section VIII.

I have already had occasion to allude to Brijlall, the brother-in-law of Sarabhoye, and that individual's successor in the office of native agent. And it would, perhaps, have been better had I, on concluding my notice of the investigations that arose out of the Amleeara succession case, proceeded at once to narrate his subsequent history. But such a procedure appeared to me to involve a greater number of repetitions (both of statements and quotations) than is necessitated by the plan I have now adopted. By no plan, however, can repetitions be altogether avoided; for the corrupt servants of the political establishments of Guzerat were so mixed up with each other, both in the commission of their crimes, and in the trials to which, in consequence of their crimes, they were subjected, that a narrative of the proceedings of Government in respect of one involves references to others, and the reproduction of documents already quoted.

2. But as on Sarabhoy's resignation, Brijlall was, so to speak, the centre round which the other rogues rotated, and the source in a great measure whence their corrupt inspirations were derived, I would respectfully bespeak a careful and attentive consideration of the facts I am about to detail. To leave them untold would be to divest this memoir of the character I wish it to bear, as an exposition of the causes which have conspired to create in the public mind of Baroda, a strong belief in the efficacy of "Khutput."

3. During the absence of Brijlall at Ahmedabad, whither he had been sent to undergo examination before Mr. Lumsden, touching his corrupt practices in the

the Amleeara succession, Mr. Malet succeeded in tracing out proofs⁴ of his villany in other and totally distinct matters. On the 25th of November 1837, he handed up charges against Brijlal and Dadoo Punt, that against the former for receiving a bribe of 300 rupees. In transmitting these charges, Mr. Malet thus expressed himself :

“ This evidence is complete ; I have, therefore, confined Dadoo Punt until the pleasure of Government is known ; and I have informed the authorities at Ahmedabad* that charges to the amount specified have been made on oath against Brijlal, and requested that such measures may be taken on the occasion as may be authorised by the Regulations.”

4. On the 19th December 1837, the Secretary, after censuring Mr. Malet for his “ inadvertence ” in placing Dadoo Punt under restraint, thus proceeded :

“ As Brijlal was not present when the proceedings against him were held, they cannot, I am desired to state, be regarded as final.

“ With reference to the remarks in the concluding part of your letter, the Governor in Council instructs me to inform you that Brijlal is not amenable to the Regulations for any bribes he may have received at Baroda ; nor is there any law by which native servants employed in the Political Department guilty of receiving bribes can be punished, otherwise than by dismissal from the public service.

“ As Mr. Sutherland will shortly proceed to Baroda, the Governor in Council considers it desirable that the cases against Brijlal and Dadoo Punt should be referred to that gentleman on his arrival, and that proceedings in the meantime should be deferred.”

5. I believe it was a matter of astonishment to Mr. Malet, and it could hardly have been other to the natives of Baroda, that though Mr. Malet had reported the evidence complete against both, Dadoo's conviction should have been set aside, because Brijlal had been proceeded against during his absence, the more especially as there was “ no law by which native servants in the Political Department could be punished, otherwise than by dismissal from the public service.”

The withholding this punishment, and the order for Dadoo Punt's release, were circumstances which the Nagurs well knew how to turn to their own advantage.

6. The charge above referred to was, as I have said, handed up on the 28th November 1837. On the 30th further confirmatory evidence was forwarded ; and on the 5th of December of the same year, in transmitting further charges, Mr. Malet thus wrote :

“ These evidences prove a bribe of 4,000 rupees given to Brijlal to obtain his assistance in the case of the adoption of Futteh Khan's second son by the widow of Shumsheir Khan, of Bergam.”

7. Again, on the 12th of December, another charge of bribery, to the extent of 200 rupees, based on the sworn depositions of three persons, was submitted ; and in reply to these three accusations, Mr. Malet was again, on the 30th of December, desired to await the arrival of Mr. Sutherland, the newly-appointed Commissioner, “ before these charges are further investigated.”

8. On the 15th of December Mr. Malet had handed up fresh depositions relative to bribes given to Brijlal, and, in reply, was referred to the letter of the 30th of December.

9. On the 30th of December Mr. Malet forwarded a letter from myself, in which I showed who the parties were through whom the karbarry of the Gorasur Thakore had been induced to perjure himself on the trial of Brijlal by Mr. Lumsden. In reply, he was informed that Government “ would postpone consideration of that communication until the receipt of Mr. Lumsden's report,” which, as has been seen, was not allowed to be productive of any punitive results whatever.

10. On the 31st of December Mr. Malet once more drew the attention of Government to the character of Brijlal, by forwarding a list of charges of bribery

* Where Brijlal was undergoing Mr. Lumsden's inquiry into his conduct.

bribery against that servant, on the public investigation of which he had entered, and this list was accompanied by translation of the evidence adduced.

11. To this latter communication no answer seems to have been returned; but on the 21st of February 1838, Government thus addressed Mr. Sutherland, who had taken charge of the Commissioner's office on the 5th of the preceding month :—

“ I am directed to acknowledge the receipt of Mr. Malet's letter, dated 31st December last, forwarding his examination into certain cases of corruption preferred against the natives' establishment of the Baroda Residency, and to communicate to you the following observations and instructions thereon :

“ The documents accompanying Mr. Malet's letter under reply contain strong *prima facie* evidence that an extensive system of bribery and corruption has for several years past prevailed in the native establishment of the Political Commissioner. At present, however, the inquiry must be viewed as merely preliminary, and no final opinion can be formed until the accused have had an opportunity of defence, and have been confronted with their accusers; you are, therefore, requested to place the parties on their trial, and to submit the result to Government, with your opinion on each case.

“ Government feel the strongest determination to search out and crush the abominable system of corruption by which the character of the British Government has, it is to be feared, been deeply compromised, and its efforts for the due management of the interest committed to its charge in the quarter concerned have been materially thwarted; the Governor in Council, therefore, relies on the exertion of your best zeal and ability, in both of which he reposes the strongest confidence, for probing to the bottom and effectually unmasking the abuses and iniquities in question.

“ In some respects the inquiry will undoubtedly prove to be of difficult and delicate management; you are, therefore, requested to adopt all practicable means of grappling with any embarrassments that may arise. For example, the proof of bribery will often be traceable only in the books of the bankers who were the channels of the transaction, and who may object to deliver up such books for general search. To insist on a search would trench on the respect which the laws pay to such documents; but all means of persuasion and fair influence should, the Governor in Council is of opinion, be tried with the parties, who probably would not object to allow of such a search, at least in their presence, as would answer the ends of justice.

“ On the other hand, Government anxiously desire that the inquiry should be as fair and equitable as it should be searching and effectual; and it is considered almost superfluous to state to an officer of your experience that the accused parties should be allowed every proper opportunity of defending themselves, and that due weight should be given to any circumstance which may be elicited tending to prove the existence of enmity or dissatisfaction between them and their accusers.

“ With reference to the charge of bribery brought forward by the chief of Wujjeeree, Mr. Malet has justly observed that no credit can be given to his testimony, for he has undoubtedly committed perjury; the Governor in Council, however, sees no objection to an investigation of the fact now stated; namely, that Motee Purshotum actually paid back the bribe he received, notwithstanding that he was acquitted of the receipt of the bribe, in consequence of the chiefs retracting the accusation.

“ I am directed to inform you that the Acting Judge at Ahmedabad has been instructed to send Brijlall to Baroda, and to request that on his arrival you will exact such security from him as you may deem sufficient.

“ In conclusion, I am instructed to state, that the Governor in Council considers Mr. Malet to be deserving of the greatest praise for the zeal with which he has prosecuted these very important and distressing inquiries.”

12. After receiving this encouraging letter written on the 21st February, and the admission by Government on the 6th March, that though they could not convict Brijlall on the charges investigated by Mr. Lumsden, they considered that “ person's conduct not free from suspicion,” Mr. Sutherland was both surprised and distressed at the communication addressed to him on the 23d of March. That communication transmitted a petition from Brijlall, and it intimated that it is not the wish of Government that the accused parties should be placed

placed in close custody while under trial ; but should you deem it necessary, the Governor in Council authorises your detaining them under *surveillance*, in the cantonment adjoining the Residency."

13. Government was fully aware that the British character had been painfully injured, in native estimation, by the corrupt practices of the Baroda political establishment ; they knew that Mr. Malet had all but direct proof of the confederacy of the Gaekwar government with the corrupt parties ; they had been told that it was only by the confinement of the accused that any hope existed of collecting technical evidence of their guilt ; they had been assured that if left at large, Motee Purshotum would again recur to the system of bribery, subornation and threats by which he had already defeated the ends of justice, and what was true of Motee, they could have little doubt might be practised by the far more powerful Brijlall. Further, they had been specially informed by Mr. Malet, that had " Brijlall remained here at large, instead of being sent to Ahmedabad for trial, there would not have been the slightest chance of the disclosures of which he (Mr. Malet) was then collecting proofs." All this they knew, or had been assured of, by an officer of high personal official reputation.

14. Placing Brijlall and his confederate under *surveillance*, could only mean stationing a peon over them ; and if Government were not aware of it, Mr. Sutherland was, that no peon so placed would refuse, if duly bribed, to allow them to hold intercourse at night with any parties they might wish to see, and thus to have as ample facilities for tampering with evidence as if they had remained in the city. These facts were notorious to all, and it is impossible to doubt that the Nagurs assiduously misrepresented, for their own vile purposes, the humane decision of Government.

15. Painfully aware that to place the accused "under *surveillance*" only involved mulcting them of the small sum of money that would suffice to bribe the peons placed over them, Mr. Sutherland, on the 28th March, greatly deprecated the decision of Government. Brijlall had, he said, "been assured of all fair opportunity of defence being given to him." And, referring to a previous letter not to be found in this office, he stated as follows :

"It will have fully informed Government of the vast difficulty I have had to encounter in proceeding with the inquiry. Brijlall and Moteeram have in consequence been detained under a guard in the room set apart for the office of my second assistant, and without this step, I do not believe I should be able to accomplish the object of Government and get at the truth in any case. * * The influences at work to counteract the inquiry going forward are still in full force."

16. In reply to this, as he deemed, cogent appeal in behalf of being allowed to persist in measures, without the adoption of which he had expressed his inability to "accomplish the object of Government, or get at the truth in any case," Mr. Sutherland was thus addressed on the 30th of April :

"In reply, I am instructed to acquaint you that the Right honourable the Governor in Council would have preferred that these persons should have been permitted to join their families, peons being stationed at their houses to watch their proceedings, and entertains considerable doubts of the expediency of detaining them in custody. The Governor in Council, however, concludes that these persons have ere this been released ; but should this not be the case, he requests that they may be set at large on the receipt of this, under the precautions above-mentioned, should you deem it necessary."

17. Government had declared that it "reposed the strongest confidence" in Mr. Sutherland's "zeal and ability ;" it had instructed him to exert the "best" he had of these qualities in "probing to the bottom, and effectually unmasking, the abuses and iniquities in question." And it consists with my personal knowledge that that gentleman was much hurt and disheartened at these interferences with his proceedings ; nor did the mischief end here, for though the motives of Government were of course of the purest and most exalted character, the Nagurs regarded the solicitude displayed by the Honourable Board, for the domestic and personal comfort of men against whom such heavy accusations were pending, as affording sufficient evidence that Government did not "feel the strongest determination to search out and crush the abominable system of corruption, by which

its character had been deeply compromised, and its efforts for the due management of the interests committed to its charge * * * materially thwarted."

18. On the 28th of March, Mr. Sutherland, it has been seen, made his appeal against the decision of Government which censured his retaining Brijlal in custody. On the 17th of April, he reported on the charge of accepting a bribe of 4,000 rupees from Doola Heerachund, which had been preferred against the prisoner. The draft of the report in this office occupies 17 pages of Mr. Sutherland's very close handwriting; and appears to myself full, minute and lucid. The finding is thus expressed: "I need not dwell on so clear a case, and proceed therefore to say, that I have no doubt of Brijlal's misconduct in taking a present of 4,000 rupees from parties engaged in a case pending before the Political Commissioners. Such presents have a pernicious tendency on the moral character of the receiver, leading to dereliction of duty and corruption, and rendering the party accepting the same unworthy of confidence.

"There is no corrupt act established against Brijlal in the discharge of his duty in the case beyond the taking of a present, of which he sacrificed a moiety on demand after failure of the case; while, had circumstances permitted, he would have taken the whole had the case succeeded.

"I beg strongly to recommend that Brijlal be dismissed the public service, and publicly declared unworthy of serving Government in any capacity again.

"In making this recommendation I do so on every principle of propriety, and consider it of the utmost importance to the support of the British character in a foreign state, which had been trampled upon by this person and others, to the vast prejudice of our political interest and influence in this quarter.

"I may add, that if a member of a revenue or judicial establishment within our ordinary rule should be convicted on a similar charge, he would be liable to the punishment of extortion; viz., seven years' imprisonment, &c. in addition to what is here recommended."

19. With reference to this charge, and to a case against Motee Purshotum which had been handed up on the 18th March, the following decision of Government was transmitted by the Secretary on the 18th May:—"In reply, I am instructed to apprise you, that it is deemed very desirable that full evidence in both cases should be laid before Government, together with the full defence of the accused parties."

20. Mr. Sutherland had on the 19th of March apprized Government of the difficulties under which he laboured in consequence of his deficient establishment, not one of whom he could trust, and all of whom were under the influence of Brijlal, from whose enmity, in case they aided the investigation into his misdeeds, they had ruin to expect should he be restored to office. For Mr. Sutherland's cramped resources no remedy was suggested till the 19th of June. And can we wonder that the Nagurs should have represented an order, which practically postponed the official transmittal to Government, of charges against Brijlal, which a gentleman of Mr. Sutherland's high character and long judicial experience conceived he had already fully substantiated, till that functionary could, amidst the distractions of other business, translate (chiefly with his own hand) those very voluminous proceedings. Can we, I repeat, wonder that such an order should have been represented, by the Nagurs employed in the residency, as another proof of the secret favour of the authorities? They knew that no greater punishment than dismissal could be inflicted on political servants; they knew that Government had only a few weeks before refused to proclaim publicly another offender of their fraternity, though Mr. Sutherland had besought such a procedure, as necessary to support him in the discharge of his public duties; and knowing and promulgating all this, can we wonder that they should have been believed, when they represented the delay creating order adverted to as a friendly effort made in favour of Brijlal by influential friends in Bombay?

21. Hardly as the order of Government pressed on his time, Mr. Sutherland complied with, and on the 20th June he forwarded the entire evidence in the case of Brijlal; a mass of documents occupying 36 closely written pages. In transmitting it he thus expressed himself:—

"This requisition bears heavy on me in consequence of the progress made in preparing full and complete reports of the cases heard; it is, however, cheerfully attended

attended to, and as much exertion will be used in forwarding the cases in the manner now required as my means will allow of.

“The delay that I shall experience before I can settle an establishment is however of much consideration to me, as I have no one at present in whom I can repose trust, with that confidence which is necessary in a native immediately subordinate to me, and as formerly represented; it is with difficulty I am enabled to make progress with any satisfaction.”

22. On the 30th June Mr. Sutherland forwarded his proceedings in the investigation of a charge against Brijlall of having received promissory notes for two sums of money, amounting respectively to Rs. 7,000, and Rs. 6,000, which were to be paid him should he procure certain decisions. The notes in question he had returned to the bribing parties, but only in consequence of the decision given by the Gaekwar having been adverse to their claims. In these misdeeds of Brijlall the head English writer, Evans, was also implicated, a circumstance sufficiently indicative of the difficulties with which Mr. Sutherland found himself surrounded. In transmitting the proceedings on this charge, Mr. Sutherland thus expressed himself:—

“I am not surprised at anything that has appeared in this case, for I fully believe that the taking of money, by all classes in the Political Commissioners' Establishment, was as common as possible, and pervaded the whole.”

23. And believing this, it was no wonder that he pressed Government to free him from the presence in his office of one of the principal criminals. He did so in the following terms:—“Brijlall having been in the above manner found guilty, should be dismissed from the office, and not allowed to serve Government again in any capacity; for although he did not derive benefit, there is every reason to suppose that if matters had turned out differently, he would not have hesitated to receive the money for which he had accepted conditional notes.”

24. On the 27th of July Mr. Sutherland transmitted a third charge against Brijlall, and in doing so he thus expressed himself:—“The unprecedented difficulties it has fallen to my lot to experience with my establishment since my arrival here, warrants me in again pressing this on the attention of Government, and in soliciting early attention to the three cases forwarded, and in which Brijlall has been convicted before me of receiving monies from parties, I can see no reason for waiting until other cases are transmitted, as it is of the utmost importance for the conduct of important public business in my hands that I should be relieved from the present state of great discomfort and embarrassment in which I am placed, so that by Brijlall's removal, I shall be enabled to appoint a person in whom I can repose confidence which is now wanting, and which, under no circumstances, after what I have known of Brijlall, could I extend to him, whether, on the review of my proceedings before the Honourable Board, my judgments are concurred in or not.”

25. In this case Mr. Sutherland thus delivered his decision: “In regard to the defence there is nothing save denial, but when the denial of motive has been so distinctly made and found to be contrary to fact, it is reasonable to carry doubt to the truth of it in all other points; considering, therefore, the special motive for giving money, and the written evidence in favour of this having been done, and the manifest attempt of every one of the witnesses to favour the prisoner and involve the case, not one having given an honest unbiased deposition, proceeding evidently from the machinations of persons, of whom the Prince of the country no doubt also used his influence in favour of Brijlall; this is fairly presumable from his Highness having taken no measures to punish a witness, Koobair Gunesh, guilty on his own confession of perjury, for all that was done was as nothing; I have in consequence no hesitation in stating my opinion to be, that Brijlall did take the money; but not as a bribe, and as the taking of money in the course of the discharge of duties is highly improper, and leading to acts of a more serious description, I think for the offence, as there is no mode of punishing this public officer, that he should be dismissed the service, and declared incapable of again serving the Government in any capacity.

“This offence, if committed by a public officer in our own territory, would be liable to be visited, by the existing regulations, with seven years' imprisonment, &c.”

26. On the 14th September, Mr. Sutherland, in handing up a fourth charge against Brijlal of taking a bribe of 1,000 rupees, thus expressed himself: * * *
 "He is duly convicted of taking the money only, and for which I have recommended that he be discharged the service, and declared incapable of again serving Government in any capacity; this being all that lies within my province, although for this and other misdeeds this notorious person is worthy of exemplary punishment.

"I request you will represent in the most particular manner to the Honourable the Governor in Council, and with as little delay as possible, that I every day feel my usefulness circumscribed, and am harassed and impeded in the discharge of important duties from having no superior officer on my establishment in whom I can confide; indeed, there are several inquiries and other matters I am prevented entering upon until I am allowed to employ a person whom I can trust, without the fear of being betrayed.

"Government, from its records, must be aware of the character Brijlal bears in this country, independent of the cases I have sent down; so that, whatever may be the result of them, I have no hesitation in denouncing Brijlal as a public officer who has, in various instances, trampled under foot the high character of the British Government, and made the offices I now fill subservient to further his own objects in the most reckless manner, and I declare him to be a man totally unworthy of consideration in any way, far less of confidence.

"I place these sentiments before the Honourable the Governor in Council in probably a strong light, but I do so to serve a very great object, that there may be no further delay in enabling me to discharge my political duties here in a proper manner, befitting the character of the British nation.

"I believe, in every part of the world strong suspicion of infidelity would be sufficient to warrant instant removal of an *employé* in a political situation, and I do not hesitate to give my assurance that Brijlal is in every respect unworthy."

27. On the 20th September, Government addressed Mr. Sutherland on the subject of the first three charges, those respectively transmitted on the 20th and 30th June and 27th July. In reference to the first, Government acquiesced in Mr. Sutherland's decision, by which Brijlal had been found guilty. In their comments on the second case, that in which the crime of accepting conditional bribes of 7,000 rupees and 6,000 rupees was charged against him, they displayed a very benevolent anxiety to give the accused the benefit of various doubts which had never entered Mr. Sutherland's mind, though his was a mind which had undergone a long judicial training; and they thus expressed themselves:—

"You, however, seem to be satisfied with the corroboration, and think the case made out; but, for the reasons above stated, the Governor in Council does not consider this case to have been substantiated as you do."

28. In reviewing the third case, that implicating Brijlal in a bribe to the extent of 1,000 rupees, Government again took a view of the evidence far more favourable to the accused than that which had occurred to Mr. Sutherland, and far more favourable than I think they would have done had they borne in mind all that had been previously brought to their notice by Mr. Lumsden, Mr. Malet, Mr. Sutherland and myself, in reference to Brijlal. But it is clear that Mr. Sutherland regarded the drift of their comments as being in confirmation of his own view of Brijlal's guilt. The sentence of Government was thus expressed:—

"In conclusion, I am desired to inform you, that on a review of the whole of these proceedings, and after mature deliberation, the Honourable the Governor in Council is of opinion that Brijlal Khooshall should be dismissed the service; and as in the present defective state of the law no other punishment can be awarded against him, the Governor in Council does not consider it necessary to proceed with the other charges against him. You will be pleased to nominate a fit person to succeed Brijlal as your native agent."

29. It was peculiarly unfortunate to the public interests that this sentence was not promulgated at a much earlier date. Had Government acted on Mr. Malet's opinion, or even on Mr. Sutherland's first report, they could not have been accused of injustice; for, again to repeat Mr. Sutherland's words, "I believe, that in any part of the world, strong suspicion of infidelity would be sufficient
 to

to warrant the instant removal of an *employé* in a political situation. And after Mr. Lumsden's, Mr. Malet's, Mr. Sutherland's and my own reports, suspicion of a strong kind regarding Brijlall could hardly have failed to rest on the minds of Government. That suspicion did exist is explicitly stated in their letter, under date the 6th March previous. Government were well aware of the difficulties of Mr. Sutherland's position; they knew that he had no native on his establishment on whom he could rely; and, as has been seen, since the 30th June they had had official intelligence that the European clerk was tainted with the universal corruption. Till Brijlall was dismissed, Mr. Sutherland could not appoint another agent, nor take any effectual step towards purging his office of the moral rottenness which pervaded its every corner; and this, too, at a time when our differences with this Durbar were of a very embarrassing nature. Can any one doubt that these facts and considerations were duly paraded and commented on by those whose interest it was to represent the Government as in secret collusion with themselves? No one can have a doubt on the subject.

30. Much, however, as the delay in dismissing Brijlall had hampered Mr. Sutherland and personally grieved him, the ultimate authorization to expel the man from the Residency inspired him with hopes of neutralizing some of the evil that had already occurred, and of preventing its recurrence for the future. But he felt that more than mere dismissal was necessary; his experience told him that mere dismissal would do but little good, unless the culprit's inability to serve Government hereafter, in any capacity, were publicly notified.

31. Strong in this conviction, which, as subsequent events proved in the case of another public servant, was strictly correct, Mr. Sutherland again, on the 27th September, urged the necessity of proclaiming Brijlall's dismissal: "In the case of this great culprit, I beg respectfully to urge on the attention of the Honourable the Governor in Council the necessity of declaring him incapable of again serving the Government in any capacity whatever, and notifying the same in the Government Gazette of the Presidency as publicly as possible, in order to serve as a warning, and to prevent this very undeserving person from being again employed. There can be no reasonable objection to this course, for it is in the power of Government to do this, and has been often resorted to in the cases of persons who have exhibited infinitely less guilt than this notorious character, whose fame is spread far and wide for his long course of infidelity to his employers, and promotion of his private fortunes by this means. Even Dowlutram was so treated by a circular order, who was dismissed after an inquiry at Ahmedabad before Mr. Lumsden, in a case in which Brijlall was conjoint with him, and who in that examination even did not escape without strong suspicions of guilt.

"As political servants, from the state of the laws, are no further liable to suffer for their acts than dismissal, a circumstance deeply to be lamented, leaving the man who may have betrayed his nation's best interests to walk off scatheless with the spoil he may have gathered, I think it a matter of the greatest moment that as much may be openly and publicly done as possible to mark the sense of his misconduct on the part of Government. And a point ought to be stretched even, on so glaring an occasion, to do so, particularly in a foreign territory.

"Independent of the three cases against Brijlall disposed of, three remain; of these one has been already forwarded to Government, and will, I presume, not now be examined; a second is under preparation, and must be forwarded, as there is a karkoon, a party conjoint with Brijlall. The third has not been translated, and will not, in consequence, be now touched, being against Brijlall alone."

32. On the 29th October, the Secretary to Government replied to this letter, declining Mr. Sutherland's suggestion. In doing so, he referred him to the 6th para. of the Government letter of the same month (not to be found), "for the general principles which should be observed in publicly declaring delinquents incapable of being employed in the service of Government."

And he added, "I am further instructed to inform you, that Government cannot come to the same conclusion with you on the delinquency of Brijlall, so far as delinquency has been actually proved against him. He may be a great

culprit, but this is not in proof. What has been proved does not amount, to our finding, to the actual receipt of money as a bribe, which in these cases is the great offence. The Governor in Council is therefore averse to imposing the additional punishment proposed by you, namely, that of publishing his disgrace in the Government Gazette."

33. It was known to the Nagurs, and no doubt can be entertained that they promulgated the fact, that, at the date of this letter, Government were in possession of the proceedings in the case which Mr. Sutherland had transmitted on the 14th September; it was known that in the very letter in which that gentleman had implored the proclamation of Brijlall, he had announced that other cases had been proved against the same individual, the proceedings of which were in the course of preparation; it was further known that Government had told Mr. Sutherland that it was unnecessary to proceed further in these cases; and equally well known was it, that on the 30th of March Mr. Sutherland, in pleading for the proclamation of Dowlutram, had reported the fact that "interested persons give out that this person withdrew from the service, as he declined to act any longer from the treatment he received," an artifice which it was very certain Brijlall and his confederates would practice so long as they remained unproclaimed. And knowing all this, can we wonder that the people of Guzerat, connecting it with the previous demeanour of Government towards Brijlall, believed that the latter possessed an improper influence at the seat of Government? They, themselves, were as certain of Brijlall's guilt as of their own existence, and they could not believe that Government had any doubts on the subject. What, it was natural for them to ask, what other interpretation than that of bribery could any one put on monies amounting to thousands of rupees, given by parties having suits pending before the Resident, to a person with whom they had no other connexion than in so far as he constituted the medium of communication with the Resident? Whether natural or not, such were their views; and agreeing thus, it may be readily imagined what opinions they must have formed of the Government.

34. Nor was this opinion likely to be beneficially modified by the further proceedings of Government. It has been seen that when, on the 28th September, Government authorised the simple dismissal of Brijlall, they had before them a fourth charge against that individual, which had been transmitted to them on the 14th of the same month. This charge, involving the acceptance of a bribe of 1,000 rupees, was not noticed till the 19th of October, when the Secretary to Government was instructed to write as follows:

"Considering that Motee Heerachund is the only witness of the actual gift of the money, and that he is an interested witness, and as the accused has challenged the genuineness of the account books produced by Motee to prove the transaction, the Governor in Council is of opinion that it would be safe that these books should be shown to some impartial merchants, in order to ascertain their opinion as to the genuineness of the entries against Brijlall, and whether they bear such an appearance that no doubt can be entertained as to their authenticity. You are therefore requested to transmit the books in question to the Judge at Surat, that the inquiry into them may be made at that place by five merchants of respectability, to be selected by that officer."

35. To the neighbours of Brijlall, who were familiar with the man's worthlessness, who knew how many persons he had induced at various times to perjure themselves on his behalf, who knew that Government had been officially informed of his subornation of perjury on more than one occasion, who knew that Government had already pronounced him guilty of discreditable practices, of accepting money for which no ostensible value had been given, who knew that Mr. Sutherland, who previous to his holding office at Baroda had for years sat as senior judge of the Sudur Foujdaree and Sudur Deewanee Adawlut, was satisfied of his guilt; to these people, I say, the tenderness of Government to his reputation, and nothing more was at stake, seemed, to say the least of it, extraordinary. They knew right well that the Sowkar's books would not again be brought back from Altersoomba to Baroda; that they themselves knew, they believed to be equally well known to Government; and however we may deplore, we can hardly wonder at their at once assuming that the additional references required by Government were merely demanded with a view to indirectly

indirectly quashing the further proceedings against Brijlall. The proceedings were quashed; for, as a matter of course, the Soucars refused to reproduce their accounts.

36. So far as Brijlall was simply implicated in corrupt practices, Government had decided not only that he should not be proclaimed for past offences, but, by prohibiting Mr. Sutherland from prosecuting further investigations, had practically decreed that his proclamation should not be again urged on the plea of further disclosures. Luckily, however, for the interests of truth and justice, circumstances compelled Mr. Sutherland to act counter to this prohibition, as he was shortly afterwards obliged to prosecute another carkoon in the residency office, whose case involved the conduct of Brijlall conjointly with his own.

37. On the 26th December, Mr. Sutherland handed up proceedings, in which Brijlall and Dadoo Punt are—

“Convicted of taking presents in money, which, in the case of a revenue or judicial officer, would be considered extortion, and punished severely.”

38. Mr. Sutherland adds: “I should not again have submitted to Government a case in which Brijlall was a party, in consequence of the dismissal of this notorious person from employ, but that it was necessary to do so, as he, in the case forwarded, was jointly involved with another. The result of this inquiry will however tend to show additionally the worthlessness of this person’s character; and I submit my hope, as previously expressed, that according to the legal sanction in cases of convictions of this description for crime committed by our ordinary servants, he may be declared incapable of again serving Government in any capacity.”

39. In reply to this letter, Mr. Sutherland was informed that, “the present was decidedly the most distinctly traced case brought to the notice of Government against Brijlall;” an opinion which did not exactly coincide with that gentleman’s individual views, conceiving as he did that Brijlall’s guilt had been previously established beyond the shadow of a doubt. Mr. Sutherland, however, was delighted to find that at last Government had acknowledged that Brijlall was a rascal; that he was guilty of a “species of forgery by the falsification of recorded documents.” He was, however, bitterly disappointed as he proceeded in the perusal of the letter, to discover that although Government considered Brijlall’s crime as being, “from the difficulty of guarding against it, of the very worst description,” they still declined to take what he regarded as the only means within their power of deterring others from the commission of like offences. To have pronounced Brijlall himself otherwise than as “unworthy of further confidence,” would have been preposterous; but to rest satisfied with pronouncing him so by means of a circular, and to abstain from proclaiming his villany in the Gazette, as Mr. Sutherland, Mr. Malet and myself had urged, was, in the estimation of the former officer, a suicidal act on the part of the Bombay Government, supereminently calculated to promote the views of those who lived on the doctrine of “khutput,” and to impress the natives with a belief that Brijlall had powerful friends in Bombay, who would hazard any amount of partizanship in order to secure him from the minimum of punishment.

40. Yet such was the decision of Government. They would only consent to issue a circular letter; they resolutely refused to proclaim in the Gazette him whom they acknowledged to have been guilty of constructive forgery, a forgery perpetrated for the purpose of defeating justice.

41. What rendered the matter more strange in Mr. Sutherland’s estimation, was that the Government which invariably took mild and favourable views of the possible motives of its accused native servants, thereby affording them every reasonable chance of impunity, should, when a really serious charge was in its lenient judgment brought fairly home to one of them, have hesitated and finally abstained from inflicting the only sensible punishment, beyond mere dismissal, which the law had left in its power to award.

42. Thus the Secretary of Government concluded the letter in reference to Brijlall’s dismissal:

“In conclusion, I am desired to state that Government cannot coincide with you in opinion that the money given in this case was not a bribe; it is designated

nated as such by the witness who deposed to the actual gift of the money. Bribery is declared by the law to be the receiving of any undue reward by any person in an official situation, in order to influence his conduct in office, and induce him to act contrary to the known rules of honesty and integrity." In what light, asked the natives, did Government consider the sums which Brijlall had previously been proved to have received? If they were not bribes, what name did they deserve?

43. Mr. Sutherland, in acknowledging the letter under notice, might have adopted the words employed by myself on the 7th of April of the same year; their spirit, I know, assimilated with his own feelings, and their truth embittered his soul: "I have exerted my humble influence to the utmost to overturn impressions so erroneous and disgraceful, and of such an injurious tendency to our Government; but with little effect, I am sorry to say, and the little good I may have accomplished has, I fear, now been annulled by the distinction lately made in favour of the only one of the parties alluded to yet convicted (Dowlutram), in exempting him from the usual proclamation of the offence, and declaration of incapability of again serving, by which, they have observed, every petty defaulter or offender in the other branches of our service is invariably branded; and finding that the perjury of the Ghorasur Carbarry (to which they attribute the escape of the other, Brijlall) has passed unpunished, and even unnoticed, by Government, in its remarks on the investigation."

Section IX.

1. To avoid adding unnecessary complexity to the last section, I abstained from making prominent allusion to the dishonouring interpretation put by the natives on the procedure of Government in calling on Mr. Sutherland to send for examination at Surat, the books of a banker residing nearly 200 miles from that place, simply because Brijlall had chosen to call in question their accuracy.

2. This omission I shall supply in the present section: but to render my remarks intelligible, I must recite certain anterior proceedings on the part of Mr. Malet.

3. The principal Sowcar firm at Baroda is that of Hurree Bhugtee, which is possessed of enormous wealth; and this firm reckoned among its partners the late Gaekwar. The Gaekwar, however, was merely a sleeping partner, and the firm enjoying the British guarantee, the Sowkar members of the house, are, and have been, effectually protected against any attempts of the prince to oppress them. The value of our guarantee to the said Sowcar is incalculable, and many laks of rupees would, under certain circumstances, be willingly expended in preventing its forfeiture.

4. This guarantee, however, is only secured to the firm during its good behaviour (subject to their own merits), and far from behaving well, the house of Hurry Bhugtee has for long been the willing agents of the political corruption that has prevailed at Baroda, and thus the indirect cause of most of the embarrassments which Guzerat politics have occasioned to the British Government.

5. Mr. Malet had not been long at Baroda ere he became perfectly satisfied as to the character of Hurry Bhugtee's house. And having at length acquired information which left no doubt on his mind that this banking firm had been for years the principal agent in corrupting the residency establishment, and as it has become his duty to expose the parties concerned in these transactions, he thought himself justified in demanding permission to inspect the books of the house. The partners refused to concede this very reasonable demand, without the orders of the Gaekwar, who, as a party concerned, they knew would give no such orders. On this Mr. Malet informed them, that in case they persisted in their refusal, he should address Government on the subject, and strongly recommend the withdrawal of the guarantee. In communicating his proceedings to Government on the 30th November 1837, No. 834, Mr. Malet thus expressed himself: "I have the honour to inform you, that having received information, that during the settlement of the banker's guaranteed debts, consequent on Lord Clare's orders, during his stay at Baroda, money to a large amount had been
been

been paid to Brijlall by Hurry Bhugtee's firm, I considered it my duty to endeavour to discover the truth of it. On the 24th instant, therefore, I sent for Bechurbhoye (Hurry Bhugtee) to examine him on the subject. He excused himself on the plea of sickness, but I am informed that he was sufficiently well to attend his Highness at the palace. On the 28th he came, attended by his karbarree, Baba Nafra, and the enclosed notes of the conversation, the examination of Bechurbhoye, and his Highness's yad, will show that I cannot compel the bankers to produce their accounts. As the case assumed this complexion, I considered the discovery of the suspected bribes to be of minor consequence, as there can be no doctrine more vicious than that the guaranteeing power has no right to compel the production of accounts * * * It is true, I believe that their chopras never have been brought to the residency, but the only reason for it that I can discover is, that they have never before been required.

"The guaranteeing power, can of course, at the petition of its clients, prevent an examination of any books by others, but it is impossible that itself should be incompetent to require their production. The very nature of a guarantee recognizes the full authority of the guaranteeing power over the person accepting that guarantee, and over those against whose injustice it provides. I was willing, in consequence of the peculiar position of this firm* to obtain the concurrence of their Prince to the production of the accounts, but the very fact of the admission that such would enable them to produce them militates altogether against the plea of loss of character, which was at first the sole objection.

* The Gaeckwar being a partner.

"This, however, is the only plea set forth by his Highness, and here I cannot omit observing that any backwardness on the part of his Highness, in affording his assistance in investigating the charges brought against the Residency establishment unavoidably strengthens my suspicions, already communicated to Government."

6. Had Government authorized Mr. Malet to enforce the production of the books, under penalty of a forfeiture of the guarantee, and had he succeeded in obtaining them, he was well aware they would have been of little use in enabling him to prove the charges for the establishment of which they were originally sought. For, as he himself said, ere Government could grant him the authority he craved, "ample time for any alteration of records will occur." But there was a great principle to establish. There were future corruptions to be anticipated, which could only be satisfactorily proved by a recognition of this principle. And further, its affirmation was "calculated to give weight to the British representatives here, which the late frequent appeals to Bombay and Calcutta show that Veneram's policy has in a great measure destroyed."

7. These considerations—the considerations which influenced Mr. Malet to make his urgent appeal, will, I hope, be borne in mind in estimating the effect which the reply of Government was likely to have on the public mind at Baroda, on the minds of the great criminals with whom Mr. Malet was contending, and on the future conduct of an office corrupt and rotten to its inmost core.

8. All that Mr. Malet sought was, that the alternative should be offered to the bankers, of showing their books or forfeiting their guarantee; but as soon as he intimated his intention of entreating Government to sanction his offering such an alternative, the bankers despatched express to their agents at Bombay, from whom they soon received comfort and encouragement. And their agents did not deceive them as to the views of Government.

9. On the 30th of December, Mr. Malet received the following communication in reply to his of the 30th November:

"The Governor in Council instructs me to inform you that two cases of an exactly similar nature, namely, one at Dhurwar and one at Rajkote, have recently occurred, wherein the Government decided, on general principles, that a mercantile firm could not be compelled to produce their books for general search of criminatory matter against an individual suspected of bribery, and that this decision is applicable to the case now referred.

"The fact of the party possessing the British guarantee declining to produce his books could, in the opinion of the Honourable the Governor in Council, make no difference whatever, unless it were clearly shown that a reference to his books was necessary to clear up any specific point involved in the guarantee;

this, however, I am directed to state is not the case, the accounts having been long since closed.

"Government are therefore of opinion, that you did not act with your usual discretion in threatening the bankers with an annulment of our guarantee, a topic which ought not to have been alluded to without a previous reference, but much less can the Governor in Council consent to the guarantee being annulled on such untenable grounds. Besides this, I am directed to observe, the bankers did not refuse to allow their books to be inspected, but merely objected to their being removed into camp; and it is conceived that you might without any great difficulty have yielded to the objection, more especially as you yourself admit that the present demand has never on any former occasion been made."

10. It were unbecoming in me to offer a criticism of my own on this or any other of the proceedings of Government, but it is I conceive legitimate for me, while illustrating the belief in the efficacy of "khutput" that prevails throughout this province, to explain the sentiments which it could not fail to awaken in the native community.

11. They were well aware "that the accounts had been long closed," that the pecuniary loans in consideration of which the guarantee was given had been long since liquidated. Knowing this, they were as well aware as the bankers, or as Mr. Malet, that the "guarantee" simply implied the continuance of the favour and protection of the British Government, so long as the firm proved itself worthy of that protection. And no native could understand how a firm thus situated could, without forfeiture of a guarantee thus defined, venture to oppose the action of the British representative at Baroda, in such a matter as an investigation into the fidelity and honesty of the Company's servants forming his establishment. The natives were of course unable to understand or appreciate the "general principles" on which the Governor in Council had decided in the two cases referred to in the Government despatch. Of the Dhurwar case they had probably never heard, but with the other one they were tolerably familiar; and they had already drawn from it inferences which the present decision tended only to confirm; it was the case of Surabhoy's brother Chotumlal, one of the earliest prosecutions entered on against the Nagurs.* And the people of Guzerat who had hitherto been accustomed to Sowcars compelled in the neighbouring British Courts to produce their books when the ends of justice demanded, beheld with astonishment the Bombay Government submitting to be thus baffled by men whose social position depended in so great a degree on its grace and favour.

12. There is every reason to believe that the Nagurs represented the decision of Government as an illustration of their own illicit influence at Bombay. The tale was probably not discredited at the time, and it must have appeared to receive signal subsequent confirmation, when in 1843 the natives of Baroda beheld the Bombay Government roughly exercise the right they had in 1838 denied to be vested in their representatives forcibly seizing the banking books of a Bombay branch of a Baroda firm, resident within the jurisdiction of the Supreme Court, and not only so, but they beheld them reprimand the Baroda Resident for not assuming "a decisive tone" towards a Baroda banker, who was neither the subject of, nor under obligations to the British Government; and the Resident they further knew, had been ordered to demand access to books of the banker, and to hold out threats in the event of his recusancy.

13. Thus did the Bombay Government instruct their secretary to write to Mr. Boyd on the 13th of July 1843: "It appears to the Governor in Council extraordinary that on this latter document reaching you, and your learning that Ballajee Punt had admitted that he had complied with this order, and sent up the books to Baroda, you did not immediately send for Gopalrow, and after pointing out to him the falsehood of his assertion, that there were no regular accounts of that year, require him to produce the said accounts, which from the admission of his agent were at that moment in his (Gopalrow's) own possession. * * *

The

* It was by the natives of Guzerat regarded as a significant fact, that the decision of Government in respect of bankers' books, as well as their abolition of the system of proclaiming public servants, should both have been adopted at the time when Chotum Lal got into trouble.

The Governor in Council cannot but think that important results would have occurred had you assumed a decisive tone with his Highness or Gopalrao Myral at these ill-disguised attempts to impose on you, and, through you, on the British Government. In the event of Gopalrao persisting in his former statements, and refusing to disclose his knowledge of these transactions, the Governor in Council has resolved that he shall henceforth be excluded from the Baroda residency, and that the Resident shall decline to recognize him as the agent of his Highness the Gaekwar, in any transaction whatever, and shall refuse to exercise on his behalf any friendly office he may require. This resolution should be explained to Gopalrao previous to putting to him the questions indicated."

14. Mr. Howard's* recommendation alluded to in the foregoing letter was as follows: "If pardon should be extended to Gopalrao, it should only be on the terms that he afforded such information to the British Government as they may think fit to require regarding any part of the transaction, and delivered up the letters which Dhackjee Dadajee had caused to be written up to Baroda since the commencement of this inquiry, at the same time ordering his carkoon, Ballajee Punt, to make a deposition with respect to all such of those as were written by him."

* Officiating Advocate-General.

15. Can it be matter of astonishment that the natives should have contrasted to the disadvantage of their rulers the disapprobation expressed by Government in reference to the mild alternative offered by Mr. Malet when desirous of inspecting the bankers' books, with the imperious tone assumed by them, where (as it was here understood) a new Governor had urged them to vigorous action on the ground of their personal characters being to a certain extent at stake? Had Government not prevented Mr. Malet and Mr. Sutherland from assuming "a decisive tone" towards the house of Hurry Bhuktee at a time, and under circumstances, which these gentlemen considered emphatically to demand it, they would have been spared all the annoyances, with the legal consequences thence resulting, of the disgraceful Dhackjee Dadajee intrigues; these intrigues would never have been dreamt of, had not the native mind construed the past proceedings of their rulers as evidence of their amenability to bribes; they would never have been dreamt of had Government, in 1837 and 1838, written such letters as those written in 1843, and had their acts been in stern and inflexible harmony with the wishes and resolves expressed in that year; nor would the villainies of Baba Nafra and Nursoo Punt, recently brought to light, have been perpetrated, as they were under the prestige of Mr. Reid's name, had not the native mind been impressed with the conviction that the energetic measures adopted in the matter of Dhackjee were forced on his reluctant Council by the unbending determination of Sir George Arthur, and would not again be resorted to, save under circumstances personally affecting the members of Government.

16. But the declaration of Government condemnatory of Mr. Malet's suggestion, that the alternative of forfeiting their bhandary, or of showing their books, should be offered to the Baroda bankers, was destined to lead to mischievous consequences at a date much earlier than that of the Dhackjee Dadajee affair.

17. It will be remembered that Mr. Sutherland had satisfied himself of the guilt of Brijlall, in the matter of the bribe of 1,000 rupees, by an inspection of the books of a Sowcar residing at Attersoomba, a Gaekwar town; this man never for a moment fancied that he could refuse compliance with Mr. Malet's requisition for their production; he brought them to Baroda, a distance of nearly 100 miles; and owing to the delays occasioned to Mr. Malet and Mr. Sutherland in the investigation of the case, he was compelled to remain at Baroda for many months to his great inconvenience. When all doubt was removed from Mr. Sutherland's mind of Brijlall's guilt, and when he thought he had judicially established it beyond cavil, he allowed the banker to return to Attersoomba; the man did so, doubtless deploring the ignorance that had induced him to comply with the order to produce his books; for during his stay at Baroda, he had learned from the corrupt *employés* of the residency the decision of Government that no power to enforce such an order was vested in its political officers; nay, it must have seemed to him that Government were rather averse to allow their local officers to trace out corruption by a reference to banking house accounts;

Letter dated 30
December 1837.

for he had learned, that not satisfied with informing Mr. Malet that he had no power to call for the production of a banker's books, they had directed him "on receipt of this communication, to send for the banker, and inform him of the decision of Government on the subject."

17. It suited Brijlall's purpose to deny the authenticity of the account books of the Attersoomba banker, as he was ever ready to deny the validity of any evidence adduced against him; and on the strength of this denial, and in spite of Mr. Sutherland's deliberate judgment after a personal inspection of the books, Government ordered these documents to be taken to Surat, to be there submitted to a committee of Sowkars.

18. In alluding to this subject in the foregoing section, I observed that the natives viewed this order as simply another loophole created for facilitating the escape of Brijlall; so well aware were they that the banker who had already been put to pecuniary and personal inconvenience, and who was now aware that he could not be forced to produce his books, would unhesitatingly refuse to carry them to Surat, nearly 100 miles further than Baroda, that is, to a distance of nearly 200 miles from his home; for though the principal witness, he had nothing to gain by the conviction of the accused. No pecuniary advantage could possibly have accrued to him, and pecuniary loss he had already sustained by the thankless sacrifices he had made for the benefit of the British Government.

19. But none of the natives believed that Government really wished the Sowkar to allow his books to be examined. They agreed that had the Government been sincere in their expressed wish to have those documents submitted to a *bonâ fide* scrutiny, they would have asked him to send them to Ahmedabad, distant only 20 miles from Attersoomba. That city contains as able and experienced bankers as are to be found at Surat, and there the examination might have been conducted, to great advantage, under the supervision of Mr. Lumsden. The native community therefore concluded that Government simply preferred a request which they were well aware would be denied, in order that they might have a pretext for preventing such an accumulation of convictions against Brijlall as should compel them to proclaim him.

20. The production of the Sowkar's books at Surat was insisted on for the following reasons, in a letter which has been already quoted, dated 19 October 1838:

"Considering that Motee Heerachund is the only witness of the actual gift of the money, and that he is an interested witness, and as the accused has challenged the genuineness of the account books produced by Motee to prove the transaction, the Governor in Council is of opinion that it would be safe that these books should be shown to some impartial merchants, in order to ascertain their opinion as to the genuineness of the entries against Brijlall, and whether they bear such an appearance that no doubt can be entertained as to their authenticity; you are therefore requested to transmit the books in question to the judge at Surat, that the inquiry into them may be made at that place by five merchants of respectability, to be selected by that officer."

21. To this Mr. Sutherland replied as follows, on the 15th of November:

"In conformity with the call made on me by desire of the Honourable the Governor in Council, in your letter of the 19th of October last, I have the honour to state that application was made to Motee Heerachund, of Attersoomba, through the Political Agent in the Mahee Kanta, for his books that were produced in the case prosecuted by him against Brijlall, lately on the residency establishment, that they might be forwarded to Surat for examination. I have this day been informed by Captain Wallace that Motee Heerachund declines to produce his books, as requested; that from delays, and his books having been many months in the residency, he has already experienced much detriment and loss in his business; and as the books contain all his transactions, and must be constantly referred to, he is unwilling to give them again, and begs to be excused.

"For my own part, I regret that the books were not produced, in order to relieve the minds of the Honourable Board of doubt in this matter, but I am not at all surprised that this person who resides at Attersoomba, in the Gaekwar jurisdiction, and is not a subject of ours, should object, for when the books

were

were in my custody he was anxious to withdraw them on account of his business."

22. Government seemed to have been as little surprised as Mr. Sutherland that Motee Heerachund, who had been put to much pecuniary loss and personal inconvenience by taking his books to Baroda, should refuse to take them to Surat (twice the distance), after having learned, as he had, not only that Government had ruled that no banker could be compelled to produce his books, but that they had actually insisted on Mr. Malet making this known to the guild, through its leading member at Baroda. The reply of Government, dated the 22d December, was as follows:

"In reply, I am desired to inform you that Government are not of opinion that the conviction of Brijlall can be confirmed, or rather, that a judgment can be passed in his case, without having the books in question examined by impartial merchants, but the Governor in Council at the same time considers the objection urged by Motee Heerachund, to allowing his books to be out of his possession for so long a period are valid objections, and such as in a case like the present must be attended to.

"The inference to be drawn from Motee Heerachund's refusal is not however favourable to that individual. He is the person on whose evidence the charge against Brijlall chiefly rests, and is further an interested witness, since if the conviction is against Brijlall, Motee Heerachund is exempt, but the reverse if Brijlall is acquitted. In that case also the witness might become liable for the amount said to have been given. Under such circumstances it was essential that his books should be free from suspicion; they might be quite correct and true, but this fact would have been more easily established had they been submitted to those who from their habits of business could speak with knowledge as to their appearance of worth.

"Motee Heerachund having refused to comply with the request of Government on this subject, the case rests on his sole testimony, and on that alone the Governor in Council is unwilling to pronounce a judgment.

"The issue however of this case is not of vital importance since Brijlall has been convicted on other charges and dismissed the service of Government, which is the only punishment that could be inflicted on him, however numerous the cases in which he might be convicted.

"Under these circumstances the Governor in Council feels himself unwillingly compelled to direct that no further measures be adopted in his case."

23. I am not in a position to affirm positively that Mr. Sutherland regarded as illogical and unjust the "inference" drawn by Government from Motee Heerachund's refusal again to sacrifice his convenience and his pecuniary interests, by complying with a requisition which Government had carefully proclaimed to be beyond its power to enforce; but I think I can pretty accurately guess his views on this point; and equally confident is my opinion that he must have startled to find Government asserting that simple dismissal was "the only punishment that could be inflicted" on Brijlall; for he had himself not only repeatedly indicated another, but as has been seen, had urgently implored Government for its own credit, and for the interests of justice to inflict it; that punishment was proclamation in the Gazette, the only effectual means of destroying malign influence of corrupt public servants.

Section X.

In the 4th Section, allusion is made to a letter dated the 11th of October 1838, in which Mr. Secretary Willoughby was directed to intimate to me through the Political Commissioner, that "the judgment of Government was not to be influenced by public opinion;" that "its object was alone to do justice," and that "this being seen, the honour of the British name will be amply preserved, and the proceedings of Government amply appreciated."

2. In reply, on the 26th of that month, I addressed Government through the Commissioner. My letter (which was a long one) was written in the "Secret Department," and I assigned as the reason of this, that I was "reluctantly com-

pelled to state unpleasant truths, which it may be deemed unadvisable to place on record." Such being the case, I intimated my readiness to consent to the suppression of my letter, provided its justice was admitted, and Government was "impressed with the necessity of adopting measures to remedy the evils I have now to represent," "otherwise," I added, "I must solicit permission to proceed to Baroda, where I require the assistance of the records of your office to enable me to prove, beyond the power of refutation, the facts I advance ; and this I pledge myself to do."

3. I proceeded to review the proceedings of Government in reference to some of the cases noticed in the foregoing sections. And feeling that I had a sacred duty to perform, I did not hesitate to call things by their proper names ; I strove to write respectfully, and with that deference which becomes a subordinate when addressing his official superiors ; but matters had reached a very dangerous crisis, and my conscience forbade me to disguise the truth. I analyzed the proceedings of Government, and showed that they had begot a general belief that the Bombay authorities either disregarded or actually connived at the corrupt practices of their native subordinates ; and I drew the following conclusions :—

"Every act of Government in connexion with these prosecutions, since first commenced, up to the present time, has tended to confirm that impression, so injurious to the British character in the public opinion, which should not, in my humble judgment, be disregarded by the Government, under the flattering idea that its pure intentions will be appreciated by the latter, for in not one instance of their proceedings can the latter view them otherwise than as intended to screen the culprits."

4. In another place I wrote, "Although doubtless it is, as stated in Mr. Willoughby's letter, the object of Government alone to do justice, it is in vain to expect that this will be seen, and I am now called on to affirm what I am ready to prove, that justice has not been done ; that the honour of the British name has been lowered, and not "preserved" by these proceedings ; and that the proceedings of Government, although founded in justice, has not the appearance of impartiality, nor do they evince that desire to expose guilt and uproot corruption, which a Government, anxious for the good opinion of its subjects, should have displayed. The consequence is, that our justice is not, as the Honourable the Governor in Council has been led to believe, amply appreciated. Alas ! the real fact is, that on the contrary, the Government is now dreaded by all who have assisted in any way in exposing this powerful body of corrupt native servants, whose return to power they are led fully to expect, when (they suppose) they will be left unprotected, and exposed to the vengeance of the Nagurs."

5. Again I wrote, "If this appeal to the best feelings of [the Honourable the Governor and the members of the Council, as individuals, may induce a strict review of a proceeding relative to the Baroda establishments since first accused by me in June last year, up to the Ghorasur case, I do think that when the whole is put together, there will appear (what may not be so striking in each particular case perhaps) such a weight of Government influence opposed to the exertions of Mr. Malet and myself, and, afterwards, of obstacles raised calculated to delay and retard your own* trials, that every individual member of Government must be as distressed at heart as I myself am, in finding such apparently strong ground to have been given for the universal feeling in Guzerat that it is the object of Government to screen the delinquents."

"The Government collectively may have been impelled by motives of political expediency to avoid the necessity of admitting that persons through whom our political measures in Guzerat were conducted for many years back corruptly bartered their services, because every former decision might thereby be called in question, and claims long dormant might be reagitated. But I am convinced that the honourable and amiable feelings of our late lamented Governor,† and of the gentlemen composing the present Government, must have been sorely tried, on witnessing, without aiding, the arduous struggles of their devoted servants to destroy a corruption so rooted, with no weapons to overcome the cunning, power, gold, and unscrupulous villany opposed to us, except simple honesty and upright zeal."

6. I admitted that, regarded as a matter of mere political expediency, it might have been prudent to discourage the conviction of Sarabhoye and the former political

* Mr. Sutherland, Political Commissioner.

† Sir R. Grant.

political establishment ; but I could not see the cogency of any reasons for dealing so tenderly with the existing establishment. And unless the tender treatment of dishonest men were at once departed from, it would, I predicted, affix “a stigma on the British character, which will deprive us of whatever little hold we may have still preserved on the esteem and respect of this hitherto much abused province.”

“For,” as I observed a little further on, “all the exertions of the local officers to perfect the regeneration of Guzerat now in progress, and for the reform of abuses, must prove abortive, so long as the Bombay Government is looked upon, as it now is throughout this country, as patronising and encouraging a class of persons so notoriously, and thoroughly proved, culpable. Until Government has cleared itself from that imputation, the power to thwart our measures remains in the hands of a body of men, the most powerful, wealthy, and unprincipled in Guzerat ; and that power to do evil can only now be stemmed by an immediate, distinct, and public declaration of the abhorrence with which Government regards the practices which have come to light, and of its determination to punish such offences with the utmost rigour in future ; intimating that an Act is now in force empowering such punishment, expressing regret that unfortunately it did not exist when the last offenders were arraigned, and proclaiming the individuals by name, viz., Brijlal, Chotumlal, Motee Purshotum and Dowlutram, as utterly unworthy of any employment whatever in the service of Government. The Ghorasur Thakore’s disgraceful proceedings should also be made publicly known, and his evident connexion with a conspiracy to defeat justice should be declared to render him unworthy of longer holding the honourable magisterial power which had been entrusted to him. The reason why his carbarry escaped the usual punishment for perjury should be publicly explained. And finally, the resumption of the village, held by Sarabhoye in the name of his son from the Bareeah Rajah, for his supposed assistance in placing him on the gadee when the succession was settled by the Resident. Then, and not till then, will the honour and integrity of our Government be believed.”

7. I implored Government, if it considered I had by my former services established any claims to its consideration, as the only favour I had to ask at its hands, to “receive my most earnest appeal, as I know it deserves to be received,” by attending to its request, and overlooking aught that I had written in the fervour of my feelings that could in any way be deemed presumptuous or disrespectful. “Should, however,” I added, “should, however, this my humble and sincere address fail in inducing the measures I advocate, through any difference of opinion as to the correctness of my views, I must claim permission to proceed to Baroda when my duties will permit, in order that I may have the opportunity more fully to confirm the soundness of my representations, which I freely undertake to do. And I pledge myself to substantiate the following facts :

“1. That the proceedings of Government with relation to the bribery investigations above alluded to, have displayed throughout a strong bias in favour of the accused parties.

“2. That they have been calculated to create a powerful impression injurious to the character of Governmen.

“3. That policy demands that such impressions be removed, and that public opinion in this country be respected.

“4. That the local officers have not received due support and countenance from Government in the prosecution of their inquiries.

“5. That great political advantages must have attended a more prompt and energetic prosecution of these inquiries, as recommended by Mr. Malet in December last.

“6. That the immediate conviction and most full exposure of the accused parties must have followed the adoption of my suggestions in the Amluara cases, and of Mr. Malet’s in the Baroda cases.

“7. That obstacles were interposed by Government calculated to screen the offenders, or facilitate their escape.

“8. That no aid was received from Government calculated to secure their conviction.

“9. That the Ghorasur chief has been allowed to insult me in my official capacity, and to condemn my authority with impunity.

"10. That an unusual authority, granted to that chief when considered worthy of the trust, has been continued to him when proved unworthy, and when pronounced by the magistrate under whom he exercises that authority incompetent to act honestly in the duty, and by the judge of the district to be clearly concerned in a conspiracy to defeat justice.

"11. That no attention whatever has been paid to my representations of these facts against the Ghorasur Thakoor.

"12. That the Thakoor's carbarry has been permitted to perjure himself with impunity.

"13. That the tribunal before which the Thakore's carbarry perjured himself has been pronounced by Government not a regularly constituted Court; on which plea, it was added, no trial for perjury could be entertained against him. Yet, in the face of this decision, it is now advanced that the discharge of Brijlall before that tribunal (and in consequence alone of that very perjury), exempts that individual from being placed on trial before a regular Court.

"14. That Jeebawa, kumavisdar of Duskrohi (in the Ahmedabad Collectorate) has been continued in his situation, though proved to have been an agent in the suborning witnesses, to have been concerned in a conspiracy to defeat justice, and to have given false testimony.

"15. That no attention has been paid to my representations against Jeebawa Kumavisdar, nor to the opinions of the judge regarding him."

8. In the event of Government doubting the accuracy of any of the foregoing propositions, I avowed my readiness to substantiate them beyond the possibility of cavil, even though to do so would have involved the relinquishment of an object very dear to my heart. For preparations were then making for the invasion of Afghanistan; Lord Auckland had done me the honour to express a wish that I should serve on that expedition; and Sir John Kean kindly enabled me to do so. And as I expressed myself to Government, "Having fully acquitted myself of the task assigned to me in the Mahee Kanta, and having seen the reformed police of Guzerat secured on a permanent footing, I could now depart with a free conscience, in the happy conviction of the continued and increasing prosperity of Guzerat," were I only assured that Government would at length arise, put forth its strength, and utterly crush the corruption it had hitherto so leniently dealt with. But till I had such an assurance, I expressed my determination not to avail myself of the opportunity now presented to me, by enjoying the exercise of my profession in the field, but to resume the arduous, distasteful, and seemingly thankless sphere of labour in which I had latterly been occupied.

9. My letter, as has been already said, was sent through the Political Commissioner, the prescribed official channel of my communications with Government. Soon after its dispatch I myself repaired to Bombay; and, lest some delays or doubts should occur to Mr. Sutherland, in respect of its transmission, I carried with me two copies of it. These I lost no time in placing, demi-officially, in the hands of the authorities, for I was anxious to know whether my statements were likely to be called in question, and thus my hopes of proceeding on field service frustrated, by the necessity of staying to fulfil my promise of proving all my allegations. One of the copies was submitted, through his private secretary, to the acting Governor, the other to secretaries of Government, and both were meant to be considered deliberate verbal communications of facts and opinions about to be submitted to them, on my behalf, by Mr. Sutherland. It was not long ere I discovered that my observations had made a considerable impression in the quarters where they were designed to produce that effect; and it was equally obvious, that those who had perused my letter felt, that in volunteering to substantiate my 15 propositions, I had offered to do no more than I was fully competent to perform.

10. Such being the case, there was no necessity for sacrificing the opportunity of proceeding on active service, but, at the same time, I was hardly satisfied that the points thus gained entitled me to suppress my letter, as I had expressed my readiness to do, provided its justice was admitted, and Government was "impressed with the necessity of adopting measures to remedy the evils I have now to represent." But I was urged by my friends in office to do so, on the score that, officially speaking, Government were ignorant, and could take no cognizance of my

my letter till the original was received from Mr. Sutherland, which was then not the case; that the letter would thus come before Government in my absence, when I should not have it in my power to justify, qualify, explain, or apologise for the many strong phrases I had employed; and that having indirectly communicated my sentiments, I might safely rely on full justice being done by Government and Mr. Sutherland to the objects I had in view. At length, on the very day the force was to sail, the original not having arrived from Baroda, I agreed to leave a letter for Mr. Sutherland in the hands of one of the secretaries, in which I expressed myself as follows:

“I have been anxiously looking out for the arrival, in Bombay, of my secret despatch, sent through you on the 26th ultimo, that I might have answered, in person, any remarks that Government might have to make; but, as it has not yet reached Government, my friends think that I should be placed at a great disadvantage by the letter coming after my departure, and I thus precluded from the possibility of defending myself. They have strongly advised me, therefore, to withdraw my letter, and to content myself with informing the Governor of my sentiments verbally. The latter I have accordingly done, and I do hope that Mr. Farish* will now see the necessity of doing something to destroy the power of nagurs to do evil in future, and to clear us from the imputations under which we now suffer. I find I have wronged Mr. Secretary Willoughby, by attributing the measures of Government to his advice. He has maintained a strict neutrality† throughout the whole proceedings, and I am very sorry for having done him the injustice of imputing them to him, under the erroneous impressions I had entertained.” And I informed Mr. Sutherland, that I had authorized Mr. Willoughby to return my letter to him.

11. It is not without reason that I have, much against my will, indulged in this egotistical recital. I have deemed it my duty to the cause for which I plead, to prove that my efforts to expose khutput were not of yesterday; that they have not been solely inspired by the obstacles I have recently had to encounter, in my attempts to root out corruption, and to vindicate to the natives of Baroda the purity of British justice. I have deemed it my duty to show, that 13 years ago I felt myself driven to address my government in strong and undisguised language, as well as to explain why my letter is not now on record.

12. With my departure to Afghanistan my official connexion with Guzerat ceased, till, in May 1847, when through the individual kindness of Governor Sir George Clerk, I returned to Baroda in the capacity of Resident, to discover that the doctrine of khutput was as rife and rampant as ever, and that the officer who should endeavour to root out corruption, and vindicate the purity of British justice, must lay his account to experiencing as many obstacles as those with which Mr. Sutherland, Mr. Malet, and myself, had to contend.

13. The fact on which I ground these assertions will be found in Part II.

* The Acting Governor.

† By a strict neutrality I meant that Mr. Willoughby, conscious that his long residence in Guzerat had resulted in personal predilections and antipathies, had carefully abstained from giving opinions on such cases remitted from Baroda as have been noticed in the foregoing sections. The letters bearing his signature he had left others to draft, and the measures and doctrines propounded in these letters were not of his inspiration. Ignorant of this till within a few days of my departure for Afghanistan, I had all along regarded Mr. Willoughby as the principal authority of the obstructions we had met in our anti-khutput labours; and my views were shared by Mr. Sutherland, who entertained very strong opinions on the subject of these obstructions. Under these circumstances I deemed it my duty to disabuse his mind of the erroneous impressions under which he laboured.

REPORT on the Popular Belief in KHUTPUT.

PART II.

Section I.

WHEN, in May 1847, I repaired to Baroda, I did so in the confident hope, that I should find myself in a more comfortable position than that occupied by Mr. Sutherland when I took leave of him in 1838.

2. The nagurs had been expelled from office. Their appointments were held by another, and I was inclined to hope by a more honest class of men. And though, while money was to be earned by dishonest practices, I believed that not many native servants could resist the temptation of gaining it, I felt myself justified in anticipating effective aid from Government, should it again become my duty to trace out, expose, and punish, unfaithful subordinates.

3. Sir George Clerk's council was composed of two gentlemen who had been secretaries to Government during the prosecutions of the nagurs. They knew the almost insuperable difficulties Mr. Sutherland and his assistants had experienced in the course of these prosecutions. They knew that these difficulties had in no small degree been created by the excessive clemency which Government displayed to corrupt public servants, by the seeming distrust of the impartiality and judgment of its local officers which Government evinced, and by the constant refusal of Government to allow its local officers to adopt those measures or exercise those powers without which they declared themselves unable to elicit the truth or protect the interests confided to them.

4. They knew that in every case where a difference of opinion existed, the result proved that the local officers were right, and the Government misinformed in their estimate of the character of native subordinates. They had been, over and over again, made aware that the difference between the policy recommended by the local officers and that adopted by the Government had been attributed to improper motives on the part of the latter. And they had recently had painful evidence that the belief in the corruptibility of the Government was no idle dream; for they had recently* seen the Guicowar indulge in a wholesale attempt to bribe the Bombay Government; and they were aware that of the money destined for this purpose, no inconsiderable sums had been destined for themselves.

5. They were, further, gentlemen of great official experience, who were well aware that to give efficiency to an office, its head should be treated with confidence; that his hands should be strengthened and his authority supported, whenever to do so is compatible with justice.

6. From these considerations I anticipated that, if in my capacity of Resident I should again have occasion to combat corruption, I shall be spared the obstacles which Mr. Sutherland had had to encounter, and receive that countenance and active support which were denied to him.

7. But I was disappointed both as to the improved morality of the native political establishments, and as to the change of government policy on which I had relied.

8. Though the nagurs had of necessity been removed on conviction, their removal had not been effected in a manner calculated either to diminish the belief in khutput, or to hold out a warning to their successors. Government had abstained from even proclaiming them; and the subsequent measures of Government the natives were easily led to regard as demonstrative of the efficacy of khutput.

9. In illustration of this assertion, I purpose detailing certain facts relating to Nursoo Punt, the native agent, when I assumed charge of the residency,—a man whose latter history has left on the minds of the people of Baroda the
uneradicable

* In the year 1842, while yet Messrs. Reid and Willoughby had not entered Council, but were Secretaries of Government.

uneradicable belief that he enjoyed the corrupt friendship of Mr. Reid, the senior member of council.

10. Before, however, I proceed to the startling statement I have to make regarding Nursoo Punt, I deem it my duty to detail the case of Venaik Moreshwur Fudkey, whose treatment at our hands has impressed the public mind of Baroda with the belief that khutput is efficacious not only in screening the corrupt, but in securing the ruin of those natives who venture to assist British officers in the exposure of corruption.

SECTION II.

Venaik Moreshwur Fudkey, commonly called Baba Fudkey, one of the ablest, most courageous, and useful public servants of whom, throughout an official career of 30 years, I have ever had experience, had rendered Mr. Malet very valuable services during his struggles against the corruption prevalent in Guzerat.

2. The treatment this individual has received at the hands of the Bombay Government, stands in striking contrast with the clemency displayed by that body towards those corrupt nagurs whose villanies he had so signally aided in exposing. And if, as I have in the foregoing sections endeavoured to prove, the natives of Guzerat have plausible pretexts to urge in behalf of the unjust and dishonouring belief entertained by them that the corrupt nagurs were regarded with favour by the British authorities, it will, I think, be conceded that the history of Venaik Moreshwur Fudkey is not only calculated to strengthen their convictions on this point, but to impress them with the notion that honesty and zeal for the furtherance of justice are not the most effectual means of gaining the favour of Government.

3. It is a history which illustrates the declaration made in the letter so frequently quoted in a previous section, to the effect that "the Government is now dreaded by all who have assisted in any way in exposing the powerful body of corrupt native servants." On the one hand they see Moreshwur Fudkey, the energetic exposor of the corrupt nagurs, denied a simple inquiry into the heavy grievances of which he complains; on the other hand, they behold the creatures and accomplices of those nagurs maintained in offices of honour and emolument, the Thakoor of Ghorasur still wielding magisterial powers, and aided by his corrupt Karbarry Motee, and Jeebawa, who, to the present hour, retains the high position of Kumavisdar in the Ahmedabad Zillah. But I anticipate.

4. Venaik Moreshwur Fudkey, or as I shall hereafter designate him for convenience sake, Baba Fudkey, is a member of the family of the deceased Hurry Punt Fudkey, commander-in-chief of the Paishwas army. He had held a confidential office in the household of his distinguished relative, and from the high estimate formed by his family of his probity and business habits, he was chosen to accompany the daughter-in-law of Hurry Punt, who had resolved to proceed to Baroda, with the view of obtaining a settlement of certain claims inherited from his deceased father-in-law, against both his Highness the Guicowar, and the banking-house of Hurree Bhugtee, of which, as has already been said, the late Guicowar was a partner. These claims had long been disregarded by the indebted parties, when, in the year 1831, the lady referred to, accompanied by her relative and man of business, Baba Fudkey, came to Baroda to press their speedy liquidation.

5. A protracted and fruitless negotiation took place, the unsatisfactory issue of which, Baba Fudkey and his brother allege, was principally owing to impediments gratuitously created by his Highness's minister Gopal Punt. At length, at the Guicowar's special request, the lady was induced to return home, and left the management of her business in the hands of her kinsman, Baba Fudkey, who was provided with a regular mookhtiar namah, or formal deed of attorney.

6. The Fudkey continued to attend the Durbar in prosecution of his family claims, and was further admitted to private conferences with his Highness; and in this state affairs remained till the month of August 1836, when his Highness not only caused him to be expelled from the city of Baroda, but applied to Mr. Malet, then in charge of the residency, to have him driven out of the Guicowar territory.

7. So far as the residency records show, no reasons were assigned for these arbitrary proceedings, but an adequate explanation is afforded in one of the petitions subsequently addressed by Baba Fudkey's brother, who thus alluded to the matter :—"Your memorialist's brother having thus remained at Baroda he regularly attended the Durbar, and had conferences with his Highness the Guicowar, relative to the matter above-mentioned. Thereafter the fears of the minister, Veneram Aditram, were excited. He imagined that the private conferences which your memorialist's brother had with his Highness, might in some way have reference to him, and that it was probably intended that he should be deprived of his office. Under this false impression, Venieeram, and the people who were of his opinion, raised a false accusation against your memorialist's brother, and sebundies were sent to the mansion of Dhackjee Dadajee, where your memorialist's brother resided, and the building having been surrounded, it was intended that his person should be seized. Your memorialist's brother having received intelligence of this immediately fled from the place, and went to Kindajee Row Kuddum, and concealed himself; but Veneeram sent sebundies there too, and adopted active measures. Your memorialist's brother afterwards sent a message by one of his people to the residency, in the camp, to the effect that he being a British subject, was unjustly subjected to oppressive treatment, and that therefore he should be brought to the camp, and that due justice being dispensed, he would be punished by the Honourable Company's Government if any offence should be established against him. Therefore peons were sent from the camp, and your memorialist's brother having been brought to the camp, an inquiry was set on foot, and he was relieved from the oppression under which he suffered. The papers and documents relating to the matter are among the records of the Bombay Government; and your memorialist begs to observe that a reference to them will bear out what he has here stated."

8. There are unfortunately no pertinent documents extant on the records of the residency of the date referred to; but that the alleged facts relative to the maltreatment of Baba Fudkey are historically correct, is a point regarding which no possible doubt can be entertained. And whether or not the memorialist quoted was well informed as to the causes that led to his brother's ill-usage, it is beyond controversy that Mr. Malet conceived him to be an ill-used man, and one who, as a British subject, was entitled to British protection. For that officer flatly refused to comply with the demand that had been preferred by his Highness for the Baba's expulsion from camp; and his reason for refusing to act unjustly to a British subject are thus explained by Mr. Williams in a letter which that gentleman addressed to Government on the 22d of September 1837, soliciting instructions how to proceed in reference to a second application made by the Guicowar for the Baba's expulsion from the Baroda territory, against which the Baba had himself officially appealed:—

"I have the honour to transmit translation of a yad and its enclosures from a person named Venaik Moreshwur Fudkey, on which I request that you will procure me the instructions of Government.

"This person came to Baroda some years ago, as appears by his yad, for the purpose of investigating the accounts of his family with the house of Hurree Bhugtee. This, it would seem, he has not been able yet to do, as his Highness will not assist him, and Hurree Bhugtee denies all knowledge of the transaction referred to, and will not assist him.

"In the month of August 1836, having, for some reason unexplained, become obnoxious to his Highness, he was turned out of the city, and Mr. Malet, then in charge, was requested to send him out of the Guicowar dominions. On inquiry, however, that officer found that he had an undisputed claim on Syajee Row (the Guicowar) for a sum of money which his absence would prevent any chance of his recovering. As he was a British subject, he therefore refused to remove him until his claim should be settled. This was not done until the month of August last (1837), since which his Highness has again been urgent for his departure from his territory.

"Venaik Moreshwur Fudkey was therefore ordered by me to leave, and in reply he has given in the enclosed yad, stating the business which he has to transact, and producing a moockhtiar nama from the head of the family, empowering him to act for him in his affairs.

"The great length of time since the transactions which Fudkey now wishes to inquire

inquire into, with the fact that Hurree Bhugtee has a branch bank at Poonah, which might be made to produce the documents required, renders me unwilling to move in the business without the special orders of the Honourable the Governor in Council.

"I have therefore ordered Venaik Moreshwur Fudkey to leave his Highness's territories, suggesting his remaining at Dhakore until I am favoured with a reply to this reference, which I beg I may be quickly, for his Highness is most urgent that he should be ordered out of his dominions altogether."

9. The undisputed claim of 11,250 rupees was indeed liquidated; this was a personal claim of the Baba himself, but the family claims which had so long been the subject of dispute and negotiation had not only not been settled at the date referred to, but to the present hour they remain unsettled; and on account of them, and in hope of obtaining some satisfaction for the outrages committed in his person on a British subject, the Fudkey wished to be allowed to remain in the British camp, that he might be in the vicinity of those at whose hands he claimed justice, and under the protection of the power whose subject he was.

10. The letter of Mr. Williams above quoted was, as I have already said, despatched on the 22d September 1837, and on the 23d of October of the same year, Government, in reply, directed the first assistant of Mr. Malet (for in the meantime Mr. Williams had died) "to ascertain and report on the reasons that had induced the Guicowar to desire the ejection of Venaik Moreshwur Fudkey from his Highness's dominions; for the Governor in Council does not think it sufficient to state merely that the individual in question is obnoxious to his Highness."

11. The reply of Mr. Malet is not extant on the residency records; but that the result of his inquiries in no way tended to damage the character of Baba Fudkey is sufficiently attested by the fact of that gentleman appointing the Baba, on the 15th of December 1837, to succeed Motee Purshotum, whose delinquencies, detailed by me in Section VII., caused him to be dismissed.

12. That Mr. Malet had never occasion to regret this act of patronage is evidenced by the following certificate, written by that gentleman when about to leave Baroda, and which I find attached to one of Baba Fudkey's petitions:—

"Baroda, 17 August 1839.

"This is to certify, that the bearer, Venaik Moreshwur Fudkey, has held the situation of carkoon at Rajpeepla for 20 months, and in that capacity has conducted the duties of head carkoon in the establishment of the first assistant political commissioner with the greatest zeal and ability, and to my entire satisfaction. He has also been my head assistant in the sequestration of Pitlad, and I owe much to his experience in business, and the respect in which he is held by all classes of natives. His knowledge of the manner in which native governments act was also of great use to me. I can confidently recommend him for any employ, as a most useful, able and honest man, and, from his character, particularly fitted for such an appointment as that he now holds."

13. The further administrative services rendered by Baba Fudkey were neither few nor unimportant, as the records of Government will show; but that which most commended him to my own admiration, and that for which I think a deep and lasting debt of gratitude is due to him by Government, was the bold and valuable assistance rendered by him to Mr. Malet and myself, in our attempts to trace out, expose, and crush the wholesale and detestable system of corruption, some of the features of which I have endeavoured to disclose in the foregoing sections. Without the zealous and unflinching assistance of Baba Fudkey during the years 1837, 38, and 39, it would have been utterly impossible to convict the delinquents. No other native of any grade or caste, not in the public service, dared to render us open assistance at Baroda; but this man stood boldly forth as our co-operator before he had any office under Government, in defiance of all the power, wealth, and unscrupulous villany by which the delinquents were supported. Keen, deep, and unforgiving was the hostility he thus drew on himself from all who were implicated in any degree in the hitherto rampant corruption of Guzerat; and these, as I have shown, embraced not only the leading people in the city and court of Baroda, but almost if not every individual in the native political establishments of Guzerat and Kattywar.

14. For the hostility of the nagur faction and their creatures, Baba Fudkey was prepared, but he was not prepared to be turned adrift by the Government he had so energetically served, without one crime being charged against him.

15. Yet such was his fate, without explanation or warning; the situation which had been conferred on him by Mr. Malet was, on the 22d March 1843, suddenly broken up into four smaller appointments, and one of these, with proportionably reduced salary, was offered to him, as the author of the arrangement subsequently avowed, simply and exclusively with the object of getting rid of him. It does not exactly appear whether the Fudkey definitely refused the appointment or not; but not having promptly acceded to the offer, he found himself out of office altogether. On the 27th December 1843, he petitioned Government for the then vacant situation of native agent at the Baroda residency; and in doing so, he alluded to the services he had rendered, and the somewhat illiberal treatment he had received. His petition was, on the 19th of February 1844, referred to Mr. Remington, then officiating Political Commissioner, and on the 24th of that month, Mr. Remington made a report, on the strength of which Government, on the 20th of March, intimated that Baba Fudkey was a "very unfit person to be employed in any political capacity."

16. Mr. Remington's report not only internally demonstrated, but candidly avowed, that he had from the first been actuated by powerful prejudices against this public servant; and I must confess I feel considerable surprise that Government should, without any further inquiry, have inflicted so serious an injury on one who had served them faithfully, and incurred much risk in their service, on the very slender, and (as it is now my duty to show) the totally insufficient grounds on which alone Mr. Remington founded his judgment.

17. And here I must observe, that the gentleman who, on the 24th March 1844, in his appellate capacity, as officiating Political Commissioner, thus unfavourably disposed of Baba Fudkey's petition, was the identical individual who, in his executive capacity of First Assistant Commissioner, had, on the 22d March in the previous year, inflicted that heavy loss on the Baba for the purpose of obtaining a compensation, for which the petition was framed. This I mention, not with a view to object to the principle of vesting in a political officer the power of appointing and dismissing his subordinates, for that is a principle of which, in the abstract, all who have had the control of an office must highly approve, and one, the early recognition of which, in Guzerat, would have spared the British Government much of the odium that has been cast on it. I tender this explanation merely to show, that Venaik Moreshwur Fudkey had not the advantage of having his case referred to an impartial court of appeal.

18. Mr. Remington thus expressed himself, "From the very first I was struck with the high tone he assumed, unlike anything of the kind I had ever seen exhibited by others holding a corresponding situation elsewhere, which, however suitable to a native durbar, was quite out of place in my cutcherry. The influence he possessed over all the carkoons, for some of whom he had managed to get appointments, was immense, and in the same degree was the hold which he appeared to possess over the carbarries of the native states. His domestic expenses were unnecessarily profuse; and the number of servants and horses he kept up, and the large retinue that accompanied him about the country, indicated rather a man of rank and importance, than a mere karkoon in our employ. It was at once evident that he was a man of unbounded means, and independent of his salary, and that his expenditure, so inconsistent with his position on the establishment, remained to be provided from illegitimate sources. Lately he has constructed a stately house in the most commanding situation in the city of Baroda, at a cost certainly not much under half a lakh of rupees.

"In the praise, therefore, bestowed in the only certificate he possesses, I cannot join. His utility as a man of business was never very apparent to me, and his honesty I would by no means vouch for. That his knowledge of the manner in which native governments act may be allowed; and as with those people low craft and deceit, without any principle of honour and integrity, obtain the appellation of great [*illegible*], it may be that he is thought something of, though 'respectable' is not the word I would apply to represent their opinion of him.

"Feeling his continuance as principal native officer in the Rewakanta establishment was in every respect injurious, I sought his removal at a very early

early period, which at last was effected by a new distribution of the salary he received."

19. I have quoted, consecutively, everything that Mr. Remington had to bring in the shape of charges against the unfortunate Baba Fudkey, as making that gentleman's case stronger than if I had broken his remarks into fragments, and disposed of them piecemeal. And I now proceed to demonstrate the lame and impotent conclusions at which that gentleman arrived.

20. At starting, I may observe the somewhat ungenerous, and worse than ungenerous—the positively unfair—manner in which he sneers at the solitary certificate in Baba Fudkey's possession; that, namely, which he received from Mr. Malet, and which has been already recorded in the 11th paragraph of this section. Mr. Remington was well aware, had he taken the trouble of ascertaining the man's antecedents, that Baba Fudkey had never held office, save in the household of his relative, till appointed by Mr. Malet to the post vacated by Motee Purshotum; equally well aware was he that Baba Fudkey continued to serve under Mr. Malet, till, on that gentleman's departure for Kattywar, on the 15th August 1839, he himself succeeded to the Rewakanta; when, as he himself admits, he became at once prejudiced against him. And, knowing all this, what other certificates of his talents and fidelity as a public servant could Mr. Remington have possibly looked for? The Baba had served under but one master, and that master, after an experience of him during twenty eventful months, had given him as handsome and as strong a testimonial as any subordinate could possibly have merited.

21. On the taste displayed by Mr. Remington, in his analysis of the laudatory epithets employed by Mr. Malet (his senior in the service), I think it unnecessary to comment. It is enough to observe, that for not one of the ungenerous inuendoes contained in that analysis had Mr. Remington one solitary argument to urge of the slightest validity; and this I proceed to show.

22. The first circumstance, as Mr. Remington admits, that caused him to view Baba Fudkey with dislike, was "the high tone he assumed" suitable to a durbar, but out of place in a cutcherry, and peculiarly distasteful to him, from being very different from that to which he had been hitherto accustomed.

23. Though, doubtless, very different from the cringing servility to which British officers are accustomed in the collector's cutcherries of the Concan and Guzerat, and to those I believe Mr. Remington's service had hitherto been confined, the independent manly bearing of Baba Fudkey is exactly the demeanour generally met with in the Deccan among the class of native gentry of good family, that is, amongst such men as the Fudkey, whose family is one of the oldest in the Deccan. It is a mere matter of taste; but I must confess that I myself infinitely prefer the independent and self-respecting demeanour of the native gentleman, even when driven by circumstances to accept a subordinate appointment, to the cringing, oily humility, and interested obeisance and flattery, of those whom Mr. Remington seems to have principally had to deal with, prior to his introduction to the Political Department, in 1839.

24. But be this as it may, the independent manner of Baba Fudkey, "from the very first," attracted the attention and dislike of Mr. Remington; that gentleman's feelings towards the head of his native establishment could not escape the notice of the numerous enemies of the Baba who surrounded him; and those who are acquainted with the native character can have no difficulty in understanding how oily Brahmins, having ready access to the ear of an unsuspecting and already prejudiced English gentleman, would improve their advantage, by insinuating such representations against their bitterly detested enemy, the Fudkey, as they saw best calculated to damage him in his master's eyes.

25. If Mr. Remington really believed that the influence, which as the head of the native establishment, Baba Fudkey exercised over his subordinates, was illegitimate either in nature or extent, he might at least have said so in terms less ambiguous, and not to have rested satisfied with an inuendo, apparently significant of a deep hidden meaning. And he might, moreover, have assigned some grounds for his belief; but nothing of the kind did he do; he dealt forth in ambiguity susceptible of the very worst construction, without attempting to

justify it, and like the Baba's independent bearing, the implied charge against that individual now under notice bears internal evidence of deriving its inspiration from a personal distaste founded on first impressions, and artfully operated on by cunning intriguers. But, whatever its origin, the charge is easily disposed of.

26. The context shows that the "immense influence" complained of, like the "Baba's independent bearing," was a source of annoyance to Mr. Remington from his first assumption of office. It is needless to say that no such personal influence could be all at once established; so that whatever was its amount and character, it must have existed during the incumbency of Mr. Malet, a gentleman whose powers of observation, and whose administrative talents, are, I presume, fully on a par with those of Mr. Remington; a gentleman, moreover, who had enjoyed much of that political experience, none of which had as yet fallen to Mr. Remington's share; yet Mr. Malet, so far from deeming the Baba's influence in the office prejudicial to the public interests, laid great and commendatory stress on the "respect" in which that individual was "held by all classes of natives;" and this respect it was, coupled with his strict probity, untiring zeal, and great business habits, that had rendered Baba Fudkey, in Mr. Malet's opinion, "particularly fitted for the office he had held."

27. The other implied charge against the Fudkey, viz., that he possessed an equal "hold over the Karbarries of the native states," may be similarly disposed of; and without in the slightest degree presuming, or wishing, to derogate from Mr. Remington's unquestioned talents, I may be permitted to observe, that as much weight is due to the laudatory testimonial of Mr. Malet to Baba Fudkey's "knowledge of the manner in which native governments act," a testimonial accorded after 20 months' close intercourse with him, as to the derisive play on these words indulged in by Mr. Remington, who, after three and a half years' experience of the Baba, and three and a half years' official connexion with his bitter foes, was unable to adduce one solitary instance in justification of the contumelious meaning which he sought to convey through the ironical employment of Mr. Malet's expressions.

28. I now come to the most serious of Mr. Remington's charges, viz., that Baba Fudkey's expenditure was such as to make it evident that he must derive an income from illegitimate sources.

29. This charge is founded on the alleged fact of his having kept up a number of servants and horses, more befitting "a man of rank and importance than a mere carkoon in our establishment;" and of his having "constructed a stately house in the most commanding situation in the city of Baroda, at a cost of certainly not much under half a lackh of rupees."

30. There is probably no circumstances that ought so promptly to secure the dismissal of a public servant as a systematic expenditure exceeding his lawful income. If not in itself sufficient proof that he has had recourse to corrupt practices, it unequivocally denotes a state of indebtedness most unfavourable to the maintenance of probity. But before any man is dismissed from public employ, simply because his annual outlay is great, common justice demands that it be first clearly proved that that outlay is not only in excess of his official income, but that the difference between his official income and his expenditure is greater than can be satisfactorily accounted for by the individual's private resources. Now it does not appear that Mr. Remington ever made the slightest effort to inform himself on either of these points. It does not appear that he ever spoke to the Baba on the subject of his expenditure, or sought from him any explanation. The records do not show that during the three and a half years that Baba Fudkey served under him, Mr. Remington ever reported his alleged lavish expenditure, either to the Commissioner or the Government; yet surely the moment he thought he observed an expenditure, on the part of Baba Fudkey, which implied, or seemed to imply, dishonesty, the alarming circumstance ought to have been brought to the notice of Government.

31. Mr. Remington candidly avows that he sought the Baba's removal "at a very early period." Yet he admits that "no valid reason for his dismissal existed, and that the measure was only effected by a side-wind, by 'a new distribution of the salary he received;'" that is, by reducing his income three-fourths. His
alleged

alleged dishonesty is only adduced when an appeal is lodged by him, and application made by him for a higher appointment than the one from which Mr. Remington had "from a very early period" sought to expel him, but for his expulsion from which not one pretext could be found for three and a half years; and be it remembered, that, for these three and a half years, Baba Fudkey's every act had been watched by the Nagur faction, their spies and creatures, all of whom owed him a deep debt of vengeance, and none of whom would have scrupled to throw temptation in his way, while their eager scent could not fail to have been sharpened by the observed antipathy borne to their enemy by his own European superior.

32. So much for the prior probability of acquiring wealth by illegitimate means, brought by Mr. Remington against Baba Fudkey. I now proceed briefly to test the only grounds which that gentleman attempted to advance in support of the charge.

33. In the first place, I would observe that such as was Baba Fudkey's retinue under Mr. Remington, such had it been under Mr. Malet. The latter gentleman, I may, without offence, assume to be quite as sound and trustworthy a judge in such matters as the former; and yet he did not conceive that the Baba's expenditure exceeded his legitimate means. It is extremely probable that it did not exceed his official salary; for Mr. Remington appears to have put down to the train of the native agent all the suitors and others who followed the camp of the political agent; and when he wrote the despatch that ruined Baba Fudkey, he does not seem to have been aware how far, under native management, a salary of 200 rupees per mensem will go towards defraying the very limited wants of a numerous native retinue. I am justified in assuming considerable ignorance on the part of Mr. Remington as to these matters at the date referred to, from his remarks on the stately house built by the Fudkey, which are all calculated to convey most erroneous notions. The house in question cost 21,904 rupees,* a point on which the Fudkey professes his readiness to produce ample evidence in the form of original accounts; even the estimates given by a hostile Durbar anxious for the Fudkey's ruin, only calculated the original cost at 32,933 rupees,† a sum which, I would respectfully suggest, was considerably under half a lac of rupees. And the house, despite its alleged commanding position, occupies the site of the old residency hospital in a part of the city where no persons of wealth or consideration reside.

* Baroda currency equal to Company rupees 19,147½.

† Company rupees 28,789.

34. That Mr. Remington, a gentleman, I believe, of thrifty habits, should look on such records of spending money with disfavour, especially on the part of a man whose independent bearing had already offended him, is not marvellous, and equally little can it be a matter of surprise that the Fudkey's enemies should have put on his disbursements an interpretation harmonising with, but strongly aggravating, the peculiar prejudice they saw that Mr. Remington had, from the first, entertained against him. But it is a matter of unfeigned surprise to me, that that gentleman should so readily have assumed that Baba Fudkey's annual expenditure actually exceeded his official income; and assuming this to be the case, that he should have taken for granted and stated as a self-evident fact, that the difference between the Fudkey's expenditure and official income could only have been made good by unlawful means. And I am the more surprised, as these assumptions of Mr. Remington clearly indicate that he had never taken the trouble of ascertaining the antecedents, social position, and family connexions of the man whose reputation and prospects he so unceremoniously assailed.

35. Venaik Moreshwur Fudkey, it is well known, is not only a man of family, but one of considerable private means, and for years prior to accepting office under the British Government, he had, while endeavouring to effect a settlement of his family affairs, lived in Baroda, as became a native gentleman and the representative of a somewhat decayed but distinguished family. It is on the records that in 1837, the Resident effected for him the recovery of one debt of 11,250 rupees, and long prior to his first ill-usage by the Guicowar, he had invested money in divers loans, from the interest of which he then derived, and yet derives, an income. He is still, moreover, the accredited agent of his family, and as such probably receives some allowance. It was not poverty that

drove him to seek employment, but a laudable ambition to achieve a professional status, and a reputation which the subjugation of the Deccan prevented his seeking, as his forefathers had done, in the court and camp of their native sovereigns; and strange to say, this very ambition, as illustrated by the Baba's endeavours to obtain service under the Indore and Baroda Governments, before British employment was placed within his reach, is quoted by Mr. Remington to the disparagement of the Fudkey, as though it were a blot on his character, not a feature to be applauded, that he preferred exertion to indolence; honourable servitude and the useful exercise of his talents to the inglorious ease so congenial to the majority of natives. Similar to this argument in spirit, and, like it, showing that Mr. Remington was not quite satisfied with the case he had made out against Baba Fudkey, was the information volunteered by that gentleman to Government, that "neither the present Resident nor his immediate predecessor regarded the petitioner favourably." As the Fudkey's services were generally in the districts and in an office over which the Residents had no direct control, they could know little of him beyond what was communicated by Mr. Remington himself, and as that gentleman had, from the very first, taken offence at the Baba's independent bearing, and, "from a very early period sought his dismissal, it is not very likely that Mr. Sutherland, or Mr. Boyd, had heard much in his favour.

36. Such, then, were the only grounds on which Mr. Remington based his charges against Baba Fudkey; such the entire evidence on which the Bombay Government proceeded to place on record as their deliberate opinion, that this zealous and faithful servant was "a very unfit person to be employed in any political capacity."

37. It would be unbecoming in me to pause to institute a contrast between the treatment of Baba Fudkey and of the corrupt Nagurs whom he had been instrumental in detecting,* and whose deep, unscrupulous, and unrelenting hostility he had thereby incurred. But it may be permitted to me to report, that a marked and striking contrast exists, and to observe that this contrast could have been neither unobserved nor uncommented on by the community; and that the conclusions they were likely to draw from it were little calculated to encourage others to follow the example of the Fudkey.

38. No one who was not engaged in the inquiries of 1837 and 1838, can form even a faint idea of the temptations to which Baba Fudkey was exposed, and of the hourly facilities afforded him of accumulating unlawful gains. He took office at a time when the foulest corruption pervaded every one of the political establishments of the province; when bribery was the normal usage; when the rejector of bribes was regarded as a fool, or an artful hypocrite seeking only to enhance his fees; and at a time when large fortunes were made by this unholy traffic, and not only so, but his sphere of duty was the Rewa Kanta, than which at that time no more prolific field for successful malversation existed in India. First, there were the distractions caused by the Naikra disturbances; and during these, every petty chief who had in any way committed himself, instinctively looked to the friendship of the native agent as the only means by which to escape the penalties to which he had become liable. Next, the Fudkey was engaged in the attachment and settlement of Pitlad; and every landowner in that district would as instinctively endeavour to secure better terms for himself, under the new administration, through the purchased services of the native agent. And again, as the confidential agent of the British authorities in reorganizing the fiscal administration of the Rajpeepla and other petty states, and therefore as the individual to whom all parties looked for the promotion of their interests, he enjoyed the most inviting facilities for effecting illicit gains.

Yet,

* *Vide* the case of Annudrao, who, although only an inferior clerk, possessing no particular claims to consideration, having been placed in confinement on the strongest evidence of flagrant misconduct, in addition to strong suspicion of bribery and corruption, was by return of post ordered by Government to be released and sent back to his duty (Section VI. paras. 9, 10). Also the case of Brijlall, who, although suspended from office upwards of a year on suspicions, the strong grounds for which Government had from the first admitted, was not finally dismissed from his post for months after his guilt had been proved, notwithstanding Mr. Sutherland's reiterated and strong representations, that the duties of his office were greatly obstructed, and that much injury to the public service was incurred thereby, at a time when very great interests were at stake (*vide* Section VIII. para. 23.)

Yet, neither during all that time, nor subsequently after he had lost office, and fallen into disgrace through Mr. Remington's agency, was one single charge of any kind ever brought against his unswerving probity. And I unhesitatingly declare, that there is not a man in Guzerat, European or native, possessing any knowledge of the Nagurs and of the individual character and abilities of those of the class who were expelled from office in 1837-38, who will not declare that it was utterly impossible for any individual inimical to, and therefore watched by them, to escape detection, had he in any degree committed himself by a single dishonest act. It was, I repeat, impossible, wide-spreading through the various establishments of Guzerat as were then the ramifications of the clan; backed up as it was by the powerful influence of the Guicowar and his court; and supported by the untold wealth of the Baroda banking firms. And not only did the Nagurs maintain an espionage which nothing could evade, but they laid snares into which but few could escape falling; and thus did they continue to catch, and wreak their vengeance on more than one of those native servants who had aided Mr. Malet, Mr. Erskine, and myself, in our crusade against corruption; men who had for years maintained the most unblemished reputations, but who afterwards fell into the traps cunningly laid for them by the villains whom they had aided in exposing, and whose insatiable spirit of revenge they had thereby awakened.

39. But none of these considerations told in favour of the unfortunate Fudkey; and instead of experiencing the clemency so repeatedly displayed to the denounced and convicted Nagurs, their successful prosecutor was, while unconvicted (nay unaccused) of any specific crime, declared to be unfit for employment in any political capacity.

40. This heavy blow was dealt him, as I have already said, on the 20th of March 1844; the Fudkey still in hopes, probably, of what he regarded a most unjust sentence being revoked; and still acting as the fully constituted vakeel of the head of his family, remained at Baroda, with the double object of seeking re-employment under the British Government, and of obtaining an adjustment of the yet undischarged claims bequeathed by his distinguished kinsman, Hurree Punt.

41. Though unable to bring aught against him, in reference to his conduct while in Government employ, his enemies were not without hopes of being able to defeat all the efforts he was making for re-employment under Government. And, accordingly, a petition was received by Sir George Arthur, on the 8th of May 1846, from some one assuming the fictitious name of Suddashew Shunker, but one of whose idioms betrays an acquaintance with English obtained in a British office. This individual alleged that the Fudkey was receiving money from such people at Baroda as had cases pending before Government, under pretence of having an amount of influence with Mr. Malet, which would secure, through that gentleman, any decision he chose. No time was lost by Government in forwarding this petition to Mr. Andrews, their officiating Resident, for his report; and the alacrity with which this was done cannot fail to have been subsequently contrasted by the natives with the fact that, when a similar petition was presented in reference to the Fudkey's bitter enemy, my native agent, Nursoo Punt, who was the relative, friend and partisan of the notorious Baba Nafra, and a man against whom I had preferred serious charges, this petition was not forwarded to the late acting Resident, till Government had officially condemned me for ever having presumed to suspect Nursoo Punt of anything improper, and had invited him to retain his situation.* Mr. Andrews' report was to the effect, that he had instituted inquiries into its allegations, but "could not discover that Baba Fudkey was acting in the manner therein described."

42. When, in May 1847, I assumed the office of Resident at Baroda, I was informed that the Fudkey had been dismissed from Government employ on account of his misconduct; and the Government letter of the 20th March 1844 (formerly quoted) was adduced in establishment of the fact. I was grieved at the

* This subject will be found alluded to more fully in my next section, as I shall there prove, there can be little doubt of the truth of the allegations made in that petition, which Government thus ignored till they had officially proclaimed Nursoo Punt a man of unblemished character.

the intelligence, but not surprised; bearing in mind, as I did, the fate of native agents of the Mahee Kanta and Kattywar, who, despite their former high character, and the services they had rendered in the exposure of corruption, had, soon after promotion, fallen into snares laid for them by the Nagurs, and themselves been guilty of malversation; and when I took into consideration the contaminated atmosphere of the Baroda Court which the Baba had so long been breathing, his fall appeared to me so little a matter of surprise, and the Government letter appeared so conclusive of his guilt, that I entertained no doubt whatever on the subject, and refused to permit him to visit me.

43. I had not, however, been long in office ere I had good grounds for suspecting that my native agent was a rogue, and as I was then engaged in the investigation of a very intricate and long-pending case, in which the native agent's collusion with the interested parties seemed at least probable, I anxiously sought for, but failed to obtain, extraneous aid. In my difficulty I bethought myself of the Fudkey, of whose sagacity, zeal, and application, I retained a grateful recollection, and who, as I remembered, had been of signal service to Mr. Malet in unravelling frauds similar to those which I now sought to investigate, and frauds moreover practised on the same individual.

44. I was thus induced to investigate the grounds on which Government had founded its decision against the Fudkey; and a careful study of the whole case satisfied me that Government had been misled into an act of great injustice towards this individual by Mr. Remington's report. Impressed with this conviction, I should have appealed on his behalf for a reconsideration of his case, had I not discovered that the prohibition against his re-employment had been virtually annulled by the permission granted to him on the 5th July 1837, to apply to the local authorities on the occurrence of a vacancy, a permission which appeared to me to be a tacit acknowledgment on the part of Government that its former condemnation had been hasty and unmerited.*

45. I accordingly solicited him to aid me in investigating the case of Gorajee Pol; at first he objected to do so, on the ground that by exposing the rascality of Nursoo Punt, he would assuredly bring on himself a series of persecutions so soon as I left Baroda; and, in justification of his fears, he reminded me of what he had already suffered in consequence of his exposure of the Nagur intrigues. I laughed at his fears. I assured him that no such persecutions as he dreaded would be tolerated at the present day; and I succeeded in securing his services, much to the alarm and indignation of Nursoo Punt, my native agent, whose conduct the investigation placed in a very unfavourable light, and who, aware that I had obtained a general idea of his real character, and that I never forgave rascality in a political servant, thought it well to set his house in order, and to make arrangement for retiring on his pension.

46. The zeal and ability displayed by Baba Fudkey in the difficult task I had assigned him would, I thought, be highly esteemed by Government, and, in their estimation, justify my recommending that old and tried servant for the office of Native Agent, which Nursoo Punt had expressed his intention to resign, with a view to retire on his pension.

47. But fortune had not yet ceased to buffet the Fudkey. Impaired health required me to go to Egypt, and on my return I was startled to find, not only that all my views had been set aside, but that I had been most severely and (as will, I think, be seen in the following section) most unjustly condemned, for expressing an unfavourable opinion of Nursoo Punt, and that I had been reprimanded for having availed myself of the services of "a person whose employment in a political office had before been forbidden by Government;" "a procedure" which, Government observed, "makes it evident that he (Lieutenant-colonel Outram) could not have examined the records of his office." As I have above shown, I had examined the records, and I had ascertained that the prohibition against the Baba had been repealed, by a subsequent permission conceded to him to apply to the

* The Government letter, dated 5th July 1847, was thus expressed, "In reply to your petition, dated the 1st instant, soliciting that you may be appointed to some situation under Government, I am directed to inform you, that the Honourable the Governor in Council sees no reason to interfere in your behalf, but that you may, on a vacancy occurring, apply to the local authorities."

the local authorities when an appointment became vacant. For Government were well aware, that as none but political appointments existed at Baroda, none but political appointments could by any possibility become vacant.

48. However, this letter, dated 12th January 1849, reached Baroda, and was recorded during my absence, and fifteen months before I was able to resume charge of my office. It was, of course, a signal triumph to Nursoo Punt, who now withheld his resignation, and henceforth continued to be actuated by a bitter animosity against the man whom I had employed to discharge functions I could not entrust to himself, and whom I had, moreover, intended to place in his appointment.

49. I left Baroda on the 12th September 1848, sailed for Egypt on the 3d November; and Captain French, who had been appointed to act during my absence, assumed charge of the office on the 2d November. No sooner had he taken up the appointment than Nursoo Punt, a man of most winning manners, plausible and unobtrusive in his demeanour, commenced a successful course of imposture on that officer. To his artful proceedings I have had occasion to allude at considerable length in my* despatch on the case of the persecuted Joitabae Settane; and I shall again require to comment on them in my next section. In this place it is enough to say, that the result of his artifices was to impress Captain French with an inveterate prejudice against his rival, Baba Fudkey, and with a prepossession (which manifested itself in one or two very singular modes) in favour of his own relative and confederate, Baba Nafra, the persecutor of the unhappy Joitabae.

50. These influences on Captain French's views and feelings Nursoo Punt was too clever to practise openly, and in his own person; he preferred having these communicated through the intervention of others; and so skilfully did he contrive his measures, and so thoroughly did he delude Captain French as to his real objects, that that officer, on resigning his appointment, went away thoroughly impressed with the idea that Baba Nafra and his relative and confederate Nursoo were bitter enemies of each other, just as he probably may have been impressed with the conviction that in Nursoo Punt, Baba Fudkey had a friend. For thus he wrote on the 18th April 1850, after he had unconsciously been playing into Nursoo Punt's hands, and himself taken the initiative in the series of injuries inflicted on the Fudkey: "As far as I know, the Fudkey has experienced no enmity from the native establishment of the Residency. From no member of it have I received reports of him, that I can recollect."

51. But beyond making the Fudkey feel, to its fullest extent, the humiliation attendant on being proscribed the Residency, Nursoo Punt did not for long dare to get up any active persecution of him. My leave of absence to Egypt was only for a year; and he right well knew that, on my return, I would institute a rigorous examination into any complaint that might be made to me. But, far from improving, my health became rapidly more precarious in Egypt; and, from about the middle of 1849, such alarming accounts of me appeared in the Bombay newspapers, that an announcement of my death was looked for by each mail; and even those of my friends who still hoped that my life would be spared, little anticipated my being able to return to India and resume my appointment.

52. This was rather doleful news for the Fudkey and their other victims, who had looked to me to interpose between them and their persecutors; cheering intelligence for Nursoo Punt and Baba Nafra, who now looked on the Fudkey as completely at their mercy.

53. The first actual injury inflicted on Baba Fudkey was deprivation, at the instance of Captain French, of an allowance of 200 rupees a month, which for some months he had received at the hands of the Guicowar,† who, aware of his value, employed him in the police establishment. Captain French's own words, when long subsequently commenting on the allegations of one of Baba Fudkey's petitions, are as follows: "Soon after hearing he (Baba Fudkey) was in his (the Guicowar's)

* Despatched from Baroda on the 5th of April 1851.

† The now reigning Guicowar, son of the Prince who sought the Fudkey's expulsion from the British camp.

Guicowar's) service, I told him (the Guicowar) that there was little wisdom, after having so lately declined to meet the wishes of Government touching vaccinators, on the score of poverty, in employing, on 200 rupees a month, a man his father had denounced to a former Resident."

54. Had Captain French studied the papers in his office which referred to that document, he would have seen that the late Guicowar's conduct met with a firm resistance on the part of Mr. Malet, and that the practical reply to the second denunciation addressed to Mr. Williams was the Baba's appointment to office under the Residency. And, knowing this, it is incredible that Captain French would have had the bad taste to make the denunciation of the Baba by the late Guicowar a peg whereon to hang an indirect solicitation for the dismissal of that man. It may, therefore, be inferred that Captain French was ignorant of the real merits of the case, and simply spoke on the perverted information conveyed to him by interested parties. But, however this may be, the result, as might be expected, was the Fudkey's deprivation of his appointment; and this deprivation was speedily followed by a gross outrage, against which the unfortunate man thus appealed to Lord Falkland, on the 13th of November * *, "That your petitioner served the British Government for many years, and gave satisfaction to his several employers; that some time last year he was recommended by the Resident, Colonel Outram, to succeed to the situation of native agent at that place; that from the date of such recommendation he has incurred the animosity of the karbarries, who have from that period founded plots to injure your petitioner's character; and to his great surprise, as well as regret, he found his house was suddenly attacked by a party of the Guicowar, consisting of carcoons, peons, &c., in all about 50 or 60 persons, and the whole of his papers were searched; nothing but his papers were therein. The people have left his house, but a guard of 10 persons is left over him, he does not know for what, and securities demanded of him. He forwarded the names of three good men, but they were not accepted. Your petitioner, therefore, solicits that instructions be issued to the Resident at Baroda, to take immediate steps to ascertain and inquire into the cause of such hardships; and, pending such inquiry, your petitioner should not be disturbed or molested by the arbitrary government of the Guicowar. Your petitioner is a British subject, and claims that protection which a British subject had a right to expect from his Government."

55. This petition was, on the 19th November, forwarded to Captain French for his report, and on the 22d that officer wrote as follows: "The petitioner, Venayek Moreshwur, commonly called Baba Fudkey, is not a British subject, though originally, years back, he may have been. In the words of Mr. Secretary Willoughby, 8th January 1846 (No. 116), he has resided at Baroda for the last seven years; he has, in this respect, forfeited the claims of a British subject. The petitioner has, in fact, lately been in the employment of the Durbar in reality, though ostensibly in that of the killadar, but for Durbar purposes."

56. In reference to the foregoing observations, I have to observe, that the letter of Mr. Secretary Willoughby above quoted, as though Baba Fudkey were the person to whom it related, had no more reference to that individual than it had to Captain French himself. It referred to the case of a man named Hurri-bhaee Pragjee, and I think I have good grounds for asserting that Captain French was guilty of an error of fact, in representing to Government that Baba Fudkey was not a British subject. Even by the "seven years" test, he was still a British subject. For when, on the 22d November 1849, Captain French wrote, seven years had not elapsed since his loss of office; he had not observed an uninterrupted residence at Baroda. He had since that date resided nearly one year at Bombay, and with his relatives at Nassick in the Ahmednuggur Collectorate, at which place the family property is situated. But, apart from these considerations, the Mookhtiar Namah, recognised by both the British and Guicowar Government, which he held as vakeel from the head of his family, was still in force, and as such, left no possible doubt as to his right to be regarded as, and to enjoy the privileges of, a British subject. Had he committed an offence rendering him amenable to criminal process in one of the Company's courts, he would have been made to feel that his residence at Baroda had by no means freed him from the liabilities of a British subject. And, as regards the monthly stipend he had received from the Guicowar, it has been seen that, prior to the

outrage

outrage of which he complains, the Baba had been deprived of this allowance, and thus all his ties to the Durbar dissolved, through the agency of the Acting Resident.

57. In continuation of the passage above quoted, Captain French proceeded :

“The officiating Resident was lately informed by his Highness’s vakeel, that there being grounds for supposing the petitioner was concocting complaints to Government against the Durbar, the Guicowar sent some of his chief civil servants, with some city police, to search the house of the petitioner. A vast number of letters of a fictitious address were found from persons in Bombay, but not that they were in search of; of those found, the Prince sent the officiating Resident next day two, either sufficient from their contents to warrant the proceedings of his Highness. The security demanded was, that the petitioner, if he chose to remain in the Guicowar states, would refrain from intriguing, and trying to cause disunion in the family of his Highness. The officiating Resident has in no way interfered, one way or other, deeming that he has no authority for so doing in the case of one who lives, and has been living for years, in the capital of the sovereign, at whose court he is the accredited agent.”

58. Though Captain French declares that he in no way interfered one way or other, it must not necessarily be inferred that it was not owing to his countenance that the severe measures against Baba Fudkey were taken; Captain French, for example, on another occasion, in the very paragraph in which he assured Government that Venaik Moreshwur Fudkey was not “dismissed from the service of the Guicowar at my (his) instigation,” admits that he had taunted his Highness with giving rupees 200 per mensem to a man whom his father had denounced to a former Resident, and that this was followed by the man’s dismissal; much in the same non-natural sense, I fear, must be accepted his declaration of having in no way interfered. Assuredly he did not interfere in behalf of the Baba after his seizure; but it is by no means clear that he did not beforehand give that countenance to the measure, without which it would never have been attempted. On the contrary, it amounts almost to a moral certainty that he did give much countenance; and that in attaching the person, house, and papers of the Fudkey, his Highness thought he was encouraged by the Acting Resident. The Fudkey, in one of his petitions, distinctly states it to consist with information received by himself that such was the case; that “the Guicowar having consulted with Captain French, the latter gave it as his opinion that, as I was a subject of his Highness, summary measures might be adopted against me, and that his Highness was at liberty to act as he might choose in any way; the hint was not unheeded. The Guicowar, emboldened by such a recognition of his despotic power, dispatched a large party of his retainers to my house, and to my astonishment, &c., &c.”

59. The statement of Baba Fudkey to the effect that the measures taken against himself had the fullest sanction of the Resident, and were not ventured on till consultations had been held on the subject with that officer, has been confirmed by the Durbar karkoon and others at Baroda; and not only did Captain French not contradict it, when told by Government to report on the Baba’s assertions, but he indirectly confirmed it. For thus he wrote: “This very day I had a verbal message from his Highness, asking if he should institute any further inquiry touching the papers found in the house of Baba Fudkey; and my reply was, that as he had given satisfactory security for future good conduct, I could see no use in further agitating the matter.” It is needless to point out the significance of this passage as confirmatory of Baba Fudkey’s statement, and as showing that the Durbar ventured on no measures in reference to that individual, which they had not previously satisfied themselves would be agreeable to Captain French.

60. The Fudkey’s papers were seized by the Durbar, and no measures having been taken, or ordered, by Captain French, to secure them from being tampered with, more than one of them substantiating certain of his long-pending claims against the Royal Treasury, were, I understand, abstracted, while efforts were made to have damnable forged documents introduced into the bundles.

61. Fortunately, however, for the doomed victim, his handwriting is peculiar, and not easily imitated. After two days’ labour, his enemies could produce

nothing to criminate him ; and only two documents could be found or fabricated, of a nature to be turned against him in any way. "Either of these," said the Acting Resident, "was sufficient from their contents to warrant the proceedings of his Highness." *

62. If such were the case, it is somewhat strange, and a matter deeply to be deplored, that their contents were not communicated to Government, to allow that body to form an opinion on the subject ; and still more strange is it, that Captain French, after having them officially sent to him from the Durbar, should not have retained them, or have taken authenticated copies of them before returning them to his Highness, or at least have shown them to his assistant, who might have retained a more distinct recollection of these than he himself appears to possess. For, so far as I can judge from his replies to queries, which, at my desire, Mr. Battye put to Captain French, I have reasons to believe that one of the two papers has since been changed ; its contents being so different from the recollection which Captain French has of its purport.

63. That such a fraud might be attempted is very possible. The only parties who read the letters to Captain French were Nursoo Punt, the Fudkey's enemy, and the Durbar vakeel, who was under Nursoo's influence, and in his alliance. And relying on Captain French's imperfect recollections, and knowing that I should not be easily satisfied as that officer, these individuals were quite capable of substituting a document which they considered better calculated to impress me with the Fudkey's criminality. But be that as it may, the spuriousness of the paper referred to is transparent, and had not Government sternly denied the permission I sought to investigate the matter, I should have had little difficulty in demonstrating its spuriousness. The other paper referred to by Captain French contains nothing to criminate the Fudkey ; and both together, if their genuineness and the fact of their having been found among the Baba's papers, were established, would not justify the illegal means resorted to against him, far less the most harsh manner in which those measures were executed, or his continued retention in close confinement for two and a half months, notwithstanding the repeated tender of most unexceptionable security.

64. Captain French's letter, in which Baba Fudkey was stated not to be a British subject, and his criminality declared to be such as to justify the Guicowar's proceedings, was written on the 22d November 1849, and on the 8th December Government intimated to Captain French, that "as the petitioner appears to have been employed at Baroda, he must be considered amenable to the local authorities, and that under the circumstances stated by you, his Lordship in Council does not deem it necessary for Government to interfere to prevent injustice."

65. On the 13th January 1850, Captain French handed up a letter addressed to me while I was in Egypt, by Baba Fudkey, which I had sent to that officer, and which he had received on the 4th October 1849. In doing so he thus expressed himself :

"I thought no more of it until lately, when it came to my notice that some papers in English were found, in the search made by order of the Guicowar, in Baba Fudkey's house. The papers in question I asked for and received ; and one of them being in the handwriting of the head clerk in this office, Mr. Hycoop, I questioned him, and have now the honour to forward his explanation."

66. Captain French "thought no more" of the document I had forwarded to him, till an opportunity occurred for eliciting a stern rebuke to a Government servant for writing a petition for the persecuted man, who had no other means of making his griefs known in the English language. And, however painful the fact is to myself, who had specially interested myself in getting Captain French nominated as my *locum tenens*, it is no matter of surprise, knowing, as I now do, the prejudices and prepossessions with which his artful native agent seems to have inspired him. These prejudices and prepossessions, whatever may have been
been

* It was wished to show that he had been encouraging the Guicowar's younger brother to engage in intrigues against his Highness. The two papers alluded to, said to have been found in the Baba's house, did not profess to have been written by him, but to be addressed to him, under a fictitious designation.

been the source whence they derived their inspiration, are signally illustrated in a subsequent part of the letter under notice: "Mr. Hykoop," he observes, "was wrong in, even at the dictation of another, referring to a Government letter, and more so perhaps in writing, as he allows he did, at the dictation of such a character as Baba Fudkey; of a man of the age, position, and unsullied reputation of a Nursoo Punt, the native agent." How far he was justified in pronouncing Baba Fudkey an abandoned character, and this is the obvious and honest rendering of the "such" he uses, has, I hope, been made apparent in the earlier portions of this section. How far Nursoo Punt was a man of "unsullied character," it shall be my duty to examine in the following one.

67. On the 17th of January 1850, Government transmitted to Captain French two petitions from Baba Fudkey, dated the 4th and 21st of the preceding month, and one, an admirably drawn up document, from his brother, dated 10 idem. These petitions gave a fair history of Baba Fudkey's career, of the services he had rendered, the eulogium he had received, and the conspiracies of which he had been the victim. They showed that the Fudkey was a British subject,* and they implored that the Guicowar might be directed to release him, under adequate security for his appearing at any time and place fixed on, to answer any charges that might be preferred against him.

* *Vide* paras. 18, 19, 20, and 21, of the petition here referred to, dated 10 December 1849.

68. These petitions Captain French never condescended to notice in any way, but in the meantime, my recovery from what the public journals had reported to be a dangerous, if not fatal illness, and my approaching return to India, became known; and the Fudkey was released on bail. But, as the Guicowar was about to visit Bombay, as I was expected to be there during his Highness's stay, and as it would have been highly distasteful to all parties connected with the Fudkey's persecutions that he should proceed to the Presidency and lay his complaint before Government while I was on the spot, and therefore in a position to insist on a rigorous investigation, the bail was, not only for his good conduct and his appearance when required, but that he should not leave Baroda for three months.

69. I reached Bombay, on my return from sick leave, on the 7th of February. But a special duty of a secret nature, and having reference solely to military matters, detained me at the Presidency till the beginning of May. No sooner, however, had my arrival been announced, than Baba Fudkey sent me a long letter, describing his persecutions. These he attributed, most truly, as I believe, in the first place to the confidence I had displayed towards him, in entrusting him with the investigation of the Gorajee Pol case, his successful labours in which had aroused the deep enmity of Nursoo Punt; and in the second place, to the credulous facility with which Captain French had allowed himself to be imposed on by that individual. He complained that it was through the Acting Resident his monthly stipend had been withdrawn by the Guicowar, and that it was only after consultation with the same officer that his house had been invaded, his papers seized, and himself placed in durance. He claimed simple justice, and a fair inquiry into the allegations against him; condign punishment if he were guilty, but a formal recognition of his innocence if he were proved innocent. He thus touchingly concluded his letter: "I have been treated in a manner at variance with the common principles of justice. Without any criminality whatever having been discovered to render me deserving of punishment, I have been precipitately condemned. I have suffered all I should suffer were I culprit convicted of serious crimes against the State. I have had my domestic privacy invaded by a gang of unscrupulous men. Suspicion, insult, and disgrace have been causelessly and cruelly heaped upon me. I have been made to feel the humiliation and degradation of imprisonment, for no offence with which I could be charged, or which could be proved against me. And now I am released under surveillance, to become the butt and scorn of every unfeeling and unprincipled myrmidon of the Government of Baroda. Broken down in health, and deeply injured in my (hitherto unspotted) character and reputation, what is to become of me? Am I, a subject of the British Government, to fall a victim to the * of the managers of a petty native state? Sir, nothing of the kind, I feel confident, will happen, while I may presume to reckon upon the powerful and well-directed influence of an English gentleman * * * Justice, strict and impartial justice, is all that I pray for. Your assistance, then, I earnestly

* S. O.

invoke ; and I trust that you will set the subject of my complaint in such a light before the Bombay Government, that they may refer its investigation to you. More than justice I do not desire ; and, with feelings of the greatest respect, I remain, &c."

70. This letter reached me while I remained in Bombay. I sent it to Government on the 11th of April, and in handing it up I thus expressed myself :—

" I am aware that it has (now) been decided by Government that the petitioner is not entitled, as a British subject, to its interference ; but, as the petitioner asserts, and which does not appear to have been known to Government, when its decision was formed, that he was dismissed from the service of his Highness the Guicowar at the instigation of the officiating Resident, and that the subsequent persecution which he declares he was subjected to arose from the enmity of the native establishment of the Residency, owing to his having been employed by me to trace out certain frauds in which I had reason, I conceived, to suspect them of being implicated ; I trust it will be deemed but just and necessary that I should institute an inquiry into the matter when I return to Baroda."

71. This letter, with the one to myself which it enclosed, were transmitted by Government to Captain French, on the 15th of April, with instructions to that officer to report on their allegations. I have already had occasion, when endeavouring to show the share Captain French had in the Fudkey persecutions, to quote pretty largely from his reply, which was dated the 18th of April. But as, under the circumstances of the case, that document was in all respects an extraordinary one, I deem it due to all parties to produce it here entire.

" In reply to the petition from Baba Fudkey, forwarded for report on the 15th instant (No. 1,751), I have the honour to state, with reference to Colonel Outram's letter of the 11th idem, enclosed therein, 2d paragraph, that Venaik Moreshwur Baba Fudkey was not dismissed the service of the Guicowar at my instigation. I now for the first time learn from his petition, which accompanies Colonel Outram's letter, that he was as long as six months in the employment of his Highness ; but soon after hearing he was in his service, I told his Highness there was little wisdom, after having so lately declined to meet the wishes of Government touching vaccination, on the score of poverty, in employing, on 200 rupees a month, a man his father had denounced to a former Resident." 2d para. :—" As far as I know, the petitioner had experienced no enmity from the native establishment of this Residency. From no member of it have I received reports of him that I can recollect." 3d para. :—" I could reply to each assertion made by the petitioner, but I do not consider more can be required than above given, as he has been living in his Highness's capital years back, and was but lately in his service." 4th para. :—" This very day I had a verbal message from his Highness, asking if he should institute any further inquiries touching the papers found in the house of Baba Fudkey. And my reply was, that as he had given satisfactory security for future good conduct to his Government, I could see no use in further agitating the matter. The message was of a private nature, asking my advice, and had not been given above an hour when your letter came to hand." 5th para. :—" If it is the wish of Government, I will be happy to advert to each point of the complaint made by the petitioner. I would be glad to be allowed to do so, as an opportunity would be afforded me of stating the experience of my sojourn at this court for a period of 17 months, so far as it relates to such persons as the petitioner in any way having an hold or a claim to the protection of Government."

72. Of the somewhat casuistical manner in which Captain French repudiates the assertion that the Fudkey was dismissed from the Guicowar's employment at his instigation, I have already spoken. The indirect evidence given by himself in his 4th paragraph, to the effect that no measures were taken against the Fudkey without his concurrence being first obtained, I have also already noticed. I have likewise adverted to the total ignorance of the politics and intrigues of the court at which he had been for 17 months resident, as evinced in his 2d paragraph ; and of the evidence this affords of the successful manner in which he had been duped by Nursoo Punt. It, therefore, only remains for me to express my surprise that an officer who could " reply to each assertion made by Baba Fudkey ;" and not only so, but who professed a strong anxiety to be permitted

permitted so to reply, should have evaded every one of the Fudkey's assertions. Not only had the permission he professed himself anxious to obtain been afforded him, but he had been actually ordered to avail himself of it to report on the petition. Yet not one of the Fudkey's allegations did he endeavour to meet. And this I am certain will appear all the more extraordinary on it being called to mind, that when he thus evaded a task which he professed an anxiety to perform, he was well aware that I was speedily to return to Baroda; that I entertained a high opinion of Baba Fudkey; that I regarded him as a most valuable and very ill-used public servant, and that therefore I must necessarily be anxious to know on what foundations his allegations rested—allegations which distinctly implied that Captain French had been promoter of the sufferings he had undergone. Unless, therefore, Captain French had reasons, which I am not in possession of, for supposing that a full explanation would not be acceptable to Government, or unless he thought that his explanation might not be convincing to myself, I am quite at a loss to comprehend why he withheld it when so favourable an opportunity occurred of offering it, and when he professed himself desirous of offering it.

73. However, comparing these expressions of anxiety to make all clear with his declaration that he could do so with facility and success, I concluded that Captain French, who had then returned to Bombay, would gladly avail himself of an opportunity of explaining to me what, under some misapprehension, he had thought he was precluded from explaining to Government, in spite of the Government invitation to explain it. I therefore addressed him officially on the subject on the 25th of May 1850. My letter I subjoin:

“Observing that in your report on the petition of Venaik Moreshwar Fudkey, dated 18th April last, No. 69, you have not noticed the following passage, in which it is stated that the summary measures of which the petitioner complains, were adopted by the Durbar after consultation with you, may I request that you will do me the favour to inform me whether those measures, *i. e.*, the arrest of the petitioner, and seizure of his papers, were suggested by you; or if not, whether the intention to adopt them was intimated to you, and directly or indirectly approved of by you, prior to their being carried into effect;” [here followed the extract from the petition alleging those facts.] “I also beg to know whether the condition exacted from him not to leave Baroda for three months after he was liberated from confinement, was exacted with your knowledge, sanction, or approval, in which case I trust you will not object to inform me what was the object of such condition.”

74. The only reply received to these very moderate requests, was, that for his “official act at Baroda, I (Captain French) am solely responsible to Government, and as they have not called on me to reply, as I offered to do, to the unnoticed points of the petition referred to, I must decline, though very reluctantly, affording the information you require, unless called on to do so by his Lordship in Council.”

75. This letter bore date the 28th of May, and on the 14th of that month, the Government had informed me, that “though it would, in the opinion of Government, have been as well, had Captain French abstained from expressing any opinion to his Highness the Guicowar, in reference to the employment of the petitioner, Government having already on a former occasion declined to interfere on behalf of this individual, his Lordship in Council deems it inexpedient to open the matter.”

76. Conceiving that the former refusal to interfere was an act of injustice into which Government had been betrayed by Captain French's erroneous representations of the merits of the case, I went carefully over the entire records, so far as they related to Baba Fudkey; and on the 22d of June 1850, I addressed a very long despatch to Government, craving permission to be allowed to investigate the matter. In that despatch I adduced almost every argument advanced in this section; I expressed my conviction that I could fully substantiate the claims of Baba Fudkey to be considered a British subject; I further intimated my readiness to prove “that the persecution which he had suffered, arose from the aid which he had afforded to myself and others, in exposing the depravity of a certain native official, not only of late, but in former years;” and I intimated “that I had been informed by the Durbar vakeel, that the further persecution of

which the petitioner complains, *i. e.*, close imprisonment for two and a half months, the seizure of his papers and the high security exacted from him, not only for good conduct, but also that he should not leave Baroda for three months, when by proceeding to Bombay he might have laid his case before Government while his Highness the Guicowar and myself were both there, were adopted with the sanction, if not at the instigation, of the Acting Resident." I analyzed Mr. Remington's report as fully as I have now done; I dwelt on the good services performed by Baba Fudkey, and the temptations he had resisted, as fully as I have now dwelt on them; and I as minutely entered into the question of his claims to the privileges of a British subject.

77. But my labour was in vain; on the 6th of October I received the following curt reply, dated the 1st of that month.

"I am directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 131, dated the 22d June last, soliciting a reconsideration of the case of Venaik Moreshwur Fudkey.

"In reply, I am directed to inform you that the former decision of Government is final, and that his Lordship in Council sees no reason whatever for your interference between this individual and his Highness the Guicowar."

78. It was, however, incumbent on Government to send my report to the Court of Directors, and the views of that honourable body were not entirely coincident with those of their local executive.

79. On the 9th of June 1851, the Secretary to Government thus addressed me:—

"With reference to your letter dated 22d June 1850, in the matter of Venaik Moreshwur Fudkey, I am directed by the Honourable the Governor in Council to transmit, for your information, an extract from a letter from the Honourable Court of Directors, No. 3, dated 15th January last." * * * "I am directed to intimate that a reference has been made to Captain French on the subject of these papers."

80. The extracts from the Court's letter were as follows:—

"Para. 8. Lieutenant-colonel Outram's letter of 22d June 1850, seems to establish conclusively that this individual is a British subject, and Captain French, who led Government to believe, on most insufficient grounds, that he had forfeited the rights belonging to him in the character, is justly chargeable with culpable negligence."

"Para. 9. Baba Fudkey was for a short time in the service of the Guicowar, from which he was dismissed, and, according to his own statement and Lieutenant-colonel Outram's, was on a false charge of conspiracy, placed in confinement; his house searched, and many of his papers carried off. He was subsequently liberated on giving security that he should not leave Baroda for three months."

"Para. 10. By accepting office under the Guicowar, Baba Fudkey voluntarily subjected himself to such chances of subsequent molestation by his Highness's officers as might arise from the customary practices of the Baroda state. Although, therefore, Lieutenant-colonel Outram expresses a strong conviction that the treatment to which that individual has been subjected, was brought on him solely by the aid which he afforded to the Resident in detecting malversation and corruption, there would have been no ground on which we could be called on to interfere in the matter, were it not asserted by the petitioner that the harsh measures were adopted in concert with the officiating Resident, Captain French. That officer admits that he suggested Baba Fudkey's dismissal from office."

81. Why the concluding lines of the 10th paragraph were not sent to myself as well as to Captain French, I can only surmise, and I am unable to understand why the information which in my letter of June 1850, I had requested might be obtained from Captain French, was not demanded, or if demanded, why it was not communicated to myself. But though I have reason to believe that Captain French's letter was a copious and elaborate document, only a very small portion of it was communicated to me.

82. On the 28th of June 1851, the Chief Secretary addressed me as follows:

"With reference to my letter (No. 2,457), dated the 9th instant, relative to Venaik Moreshwur Fudkey, I am directed by the Right honourable the Governor in

in Council to transmit to you an extract (paras. 6 and 8) from a communication from Captain French, late Acting Resident at Baroda, dated the 11th instant.

“ I am at the same time desired to inform you, that Government adheres to its resolution communicated to you in Mr. Secretary Lumsden's letter (No. 4,409), dated the 1st October last, and sees no reason for interference on its part between this individual and his Highness the Guicowar.”

83. The extracts from Captain French's letter I subjoin :

“ Para. 6. Of the Court's despatch, there now remains to be noticed only the concluding lines of the 10th para. I do not and never did admit that I suggested to his Highness the removal of Baba Fudkey from office, and this you will find stated in my letter of the 18th April 1850, but had I been aware of the man's character, as I subsequently became, I would most assuredly have strongly urged on his Highness the great impropriety of retaining such a man in his service.”

“ Para. 8. I reported to Government (1st June 1849) that I failed in inducing the Guicowar to employ vaccinators in his domain, and that I exonerated his Highness, but deemed the Killadar the person in fault. A very few days before urging his Highness on this point, I heard that a man I never had then seen, the main subject of this correspondence, Venaik Moreshwur Fudkey, was in his employ on a salary of 200 rupees per month. I consequently told his Highness there was little wisdom in, on the score of poverty, declining to meet the wishes of Government, when he gave such a salary to a man holding no office; a man his father had ordered to be expelled the city. At this interview, Lieutenant Battye, Gopal Row Myrall, the Killadar, and the Guicowar carkoon who attends at the Residency were present.”

84. In an earlier part of this section, I have taken the liberty of offering one or two remarks on the explanations given in 1849 by Captain French, of which the above is a reproduction. I will here only observe that the passage just quoted would seem to indicate how completely Captain French had been prejudiced against a man, whom before starting for Egypt, I had expressly commended to his protection; a man who had never been convicted of any fault, and one whom as he knew, I had wished to employ as my confidential native subordinate. This man he denounced on the ground that the deceased Guicowar Syajee Row, ever intriguing against the British authorities, had expelled him from Baroda, though I had told Captain French that the Fudkey's faithful services to the British Government had been the principal cause of all his misfortunes; though Captain French, if he derived his knowledge of the Fudkey's expulsion from the records, must have known that it was deemed by the local authorities as in no way discreditable to the expelled individual; and though Captain French was, or ought to have been, aware that most of the offices under the Durbar were, and are, filled by discarded servants of the British Government, men some of whom have been convicted of serious crimes.

85. Here the matter rests, and here it will continue to rest, unless the Honourable Court see fit to extend to the Fudkey some mark of its appreciation of his valuable services, and some token of its sympathy for the persecutions to which he has been exposed in consequence of these services.

86. Since my appeal of June 1850 was made in behalf of Baba Fudkey, charges have been brought against him, of accepting bribes while employed in the Rewa Kanta; that these charges have been trumped up through the agency of Nursoo Punt's son, Keshowrao, and the minister, as a set-off against the efforts I was making in behalf of the Fudkey, I have reason to believe; and that they have been supported by a foul conspiracy, and impudent forgeries, will, I believe, be ere long in proof before Government.

87. But whether this, or any other charge were proved against him, is a matter that in no degree affects the points treated of in this section. When the Baba was subjected to the hard usage of which I complain, no charges had been raised against him. So far as the records threw light on his position, he was, at the date of his persecutions, a British subject, who, by his incorruptibility at a time of universal corruption, and by his invaluable services, had established strong undeniable claims on the gratitude of a Government which, while it became the

apologist of one of the authors of his persecutions, refused to interfere "to prevent injustice" to himself.

88. While I write, fresh conspiracies are being hatched against the Fudkey, under the belief that the Bombay Government will gladly lend their weight and influence to all attempts to crush a man whose character is in as striking contrast with Nursoo's, as is the treatment he has received, with that practised towards the wicked man whose history will be detailed in the next section.

89. Deserted by the Government he had so faithfully served, and persecuted as he has been by those whose crimes he was instrumental in exposing, it were no legitimate cause of wonder should the Fudkey be driven to counter intrigues. That he has so long continued honest, but shows the man's intrinsic worth, and the self-inflicted loss the Bombay Government sustained, when, without a single fault being proved against him, they unceremoniously threw him overboard.

Postscript. Dated 10th February 1852.

About 15 days ago, it was reported to me that Baba Fudkey, with the sanction and under the protection of Government, had left Baroda and came to Bombay; and since then, I have had a visit from him; and I was much affected by the poor man's manly but melancholy air. He feels that he is ruined, and ruined for the generous aid he rendered myself and others in our attempts to vindicate the national honour. And I deeply feel that all his latter persecutions are the result of services rendered to myself, on my assurance that he should not be sacrificed for rendering them. Removed, in disgrace, from my appointment, I am no longer in a position to learn what reply Government made to Major Fulljames' honourable acquittal of the Baba. But no communication to that effect has been made to him by Government authority. So far as I can learn, the Government have not authorised Major Fulljames to try, and punish, those within his jurisdiction who committed perjury against the Baba; and after what has occurred, and will be found detailed in the Supplementary Sections of this Report, I can hardly hope that Government will express its disapprobation of the conduct of the minister, to whose persecutions the conspiracy defeated by Major Fulljames was but the complement and climax.

Section III.

I now proceed to notice the case of Nursoo Luxmon, commonly called Nursoo Punt, late native agent of the Baroda Residency and Dufterdar at Ahmedabad, through whose disgraceful conduct the belief in Khutput has been strengthened to a very melancholy extent, immense scandal has been brought on the British administration, and the name of Mr. Reid, late member of Council, has come to be associated in the public mind with the foulest of deeds and the vilest of men.

2. On the 21st July 1843, Hurreelal, the native agent of the Baroda Residency, was dismissed from Government service on account of corrupt practices, and amongst the candidates for the vacant appointment were Venaik Moreshwur Fudkey and Nursoo Punt.

3. It has been seen that the former of these individuals has claims on the gratitude and support of Government, and that his antecedents were such as to afford a guarantee of his proving a useful and faithful public servant; but, as has also been seen, Government, without a question, accepted Mr. Remington's account of him, and not content with disallowing his application, officially branded him as "a" very unfit person to be employed in any "political capacity."

4. The latter of the two candidates, Nursoo Punt, had served for about twenty-five years in the Revenue Department, where he had gained the esteem of Mr. Reid and his other superiors by his talents and business habits, and where he had never been detected in dishonest practices. He was perhaps the best revenue servant that Government had had for many years, and it was assumed that his integrity was on a par with his undoubted abilities.

5. The

5. The sequel will prove how lamentably Nursoo Punt's patrons were mistaken as to his real character; and I would here observe, that his application for the vacant native agency was calculated to awaken the suspicion even of his patrons.

6. The salary of that appointment was 300 rupees per mensem; the salary of the appointment he held at the date of his application was 400 rupees per mensem. The 400 rupees were earned in the salubrious climate of the Deccan, while to obtain the smaller monthly stipend of 300 rupees, he volunteered to reside at Baroda, proverbially one of the most unhealthy stations in Western India.*

7. But though the salary attached to the office of native agent was only 300 rupees a month, it was a notorious fact, that, for a series of years, the occupants of that post had amassed enormous wealth by betraying the confidence of their superiors, and by engaging in and promoting the foulest corruption. This source of illegitimate income had not nearly been exhausted; great wealth was still to be gained, and Nursoo was mixed up by family ties with those most notorious as the dispensers and negotiators of bribes to Government servants.

8. Under these circumstances, the voluntary relinquishment of 100 rupees per mensem would have been too glaring even for Nursoo's patrons to pass over unquestioned; and, conscious of this, Nursoo alleged his health as the reason which induced him to apply for removal from the Revenue Commissioner's office to the Baroda Residency, and he went through the farce of requesting that his salary at Baroda might be raised to an equality with that which he had been drawing at Poona.

9. His request, as he well knew, could not be complied with; his plea of ill-health was a mere sham. But even were we to assume that the state of his health rendered desirable a change from the climate of the Deccan to that of Guzerat, it will to most men occur as somewhat strange that he did not endeavour to effect an exchange with one of the native officials at Ahmedabad, his native city; such an exchange could, with Nursoo's interest, have been easily made, if not on equal terms, at all events by a less sacrifice of income than was necessitated by his transfer to Baroda, if in coming to Baroda he was resolved to confine himself to the legitimate gains of his office.

10. Nursoo had not long been nominated to the native agency when a petition was sent to Government, charging him with having accepted bribes in 1831-32, while on a visit to Baroda, in the suit of Lord Clare, and intimating to Government that he was connected by family ties with some of the most corrupt men at Baroda.

"I further beg to say," proceeded the petitioner, "that Baba Nafra, agent of Hurree Bhugtee and Gunesh Punt, turnaweese of the Guicowar, who have incurred the displeasure of Government by their misconduct, as also Dadoo Punt, who has been deprived of his office of native agent, on account of misconduct, and who has been, through the instrumentality of Bappoojee Annunt Hurgureece, employed, and manages Gopal Row Myral's firm at Baroda, and several others, are relatives and caste-fellows of Nursoo."

11. The petitioner further accused Nursoo Punt of having induced one Asharam to forego his application for Government employment, on condition of receiving an appointment from the Guicowar.

12. The petition, dated 21st March 1844, was, on the 21st of April, sent by Government to Mr. Remington, the officiating Resident, for report; that gentleman received it on the 24th of April, and on the 1st of May he reported on it.

13. In

* In my "Statement of Facts" I represented the difference of salary as 200 rupees. I did so under the conviction left on my mind, after careful inquiries, that his salary as dufferdar was 500 rupees a month. I now find that, though he did receive 500 rupees under the Revenue Commissioner, 100 of these was a personal allowance, which he still continued to receive at Baroda. According to Nursoo Punt's own showing, in his petitions to Government, his entire loss of salary by the transfer to Baroda was 126½ rupees per mensem.

13. In reference to the charge of misconduct alleged against Nursoo, in connexion with his visit to Baroda during Lord Clare's sojourn there, Mr. Remington observed, "It is true, as stated by the petitioner, that Nursoo Punt accompanied the suite of Lord Clare during his visit to Baroda in 1831-32, being attached to the office of Mr. Williamson, the Secretary in attendance on the Right honourable the Governor: as far as I can learn, no petitions were presented to Government in respect of decisions on the claims of individuals, in which complaint was made of the conduct of Nursoo Punt, and it is rather late in the day to commence them now."

14. That bribery to a very great extent was practised during Lord Clare's visit to Baroda, is a matter of notoriety; the recipients being those native servants who were supposed to enjoy the regard and confidence of the European officials in his Lordship's suite. What measures Mr. Remington took to discover how far Nursoo was mixed up in these discreditable transactions, I cannot, of course, tell. But the fact of his reporting on the petition six days after its receipt, and his remark that it was then "rather too late in the day" to make complaints, justify the assumption that his inquiries were neither extensive nor searching.

15. Late in the day it certainly was; but the lateness of the complaint afforded no argument whatever against its credibility. The petitioner had then, for the first time, an interest in denouncing Nursoo, whose dishonesty had only become a matter of personal concern to him on his taking up a permanent residence at Baroda; and if Mr. Remington had seen fit to sift the matter to the bottom, he would perhaps have found that there was as much truth in the charge of bribe-taking brought against Nursoo Punt as there undoubtedly was in the statement that Nursoo had underhand dealing with Asharam. This Asharam, I may here parenthetically observe, was the person through whom, at a subsequent date, Nursoo received a bribe of 20,000 rupees; and, in consideration of his various services, Nursoo, on Asharam's death, persuaded the Guicowar to continue his salary of 200 rupees a month of his son.

16. But this is a digression as respects the charge of bribe-taking when in Lord Clare's suite; it is here adduced simply to show that Nursoo, the relative of the leading Baroda corruptionists, and the man who relinquished an income of 500 rupees a month to come to Baroda on a salary of 300 rupees, was, at the commencement of his Baroda career, accused of having engaged in corrupt practices some years previous; that Government was aware of this; and that it knew that Nursoo's character had never been formally vindicated in respect of an accusation which afforded a key to his very suspicious self-transfer from Poona to Baroda.

17. As regarded the family connexions of Nursoo Punt with the Baroda traders in corruption, Mr. Remington reported, that one of Nursoo Punt's "daughters is married to the son of Venaik Punt, who was at one time head carkoon to the Furnuverse, but subsequently dismissed for alleged or proved misconduct. It is said that on Nursoo's visit to Baroda in 1833, he procured his release from confinement, in which he had been placed by his Highness. He, Venaik Punt, has lately been appointed kamdar at Ookamunoul, in the room of Wamon Row Withul, respecting whose conduct I have had the honour to receive the instructions of Government, conveyed in your letter of the 6th February last. A second daughter of Nursoo is said to have married a nephew of Venaik Punt; his sister is now married into the family of Baba Nafra, and his own sister is now married into the family of Dadoo Punt, in the service of Gopal Row Myral."

18. Even these were pretty close family ties subsisting between the new Residency native agent and those traders in corruption, whose villainies and intrigues it was his official duty to aid in frustrating and exposing. "Dadoo Punt, in the service of Gopal Row Myral," and Dadoo Punt, one of the predecessors of Nursoo, who had been expelled from office in 1838, were, I need hardly say, one and the same person. Baba Nafra, the manager of the Baroda banking firm of Hurree Bhugtee, had, as Government knew, been a principal agent in the Nagur corruptions. He had been convicted by Mr. Malet in more than one instance of nefarious practices. He had been mixed up in the conspiracy to bribe Sir James

Carnac's

Carnac's Government;”* and he has since been convicted of the misappropriation of the funds intrusted to his stewardship, of the abduction of one of the sons and heirs of his late master; of a foul conspiracy against one of that master's widows, inspired by feelings of avarice and revenge, and carried through by the grossest bribery and subornation of perjury; and Nursoo's connexion with this man was even more intimate than Mr. Remington seems to have been aware of. For not only did his niece marry the Baba's son, and his first cousin the Baba's brother, but he himself, 35 years ago, married the Baba's aunt. As regards Venaik Punt, Mr. Remington was perfectly correct in attributing his release from jail to the influence exerted in his behalf by Nursoo Punt, and to the same influence was due his appointment to the office of Kamdar, at Ooka-mundul, circumstances which indicated that the new native agent possessed an influence over the councils of the Guicowar, fully greater than Mr. Remington had alleged Baba Fudkey to enjoy in reference to minor Princes, and the enjoyment of which he had, in the Fudkey's case, adduced, as showing his unsuitableness for political employment.

19. Government intimated to Mr. Remington† their regret that Nursoo's family connexion with the Baroda corruptionists had not been ascertained prior to his appointment; but at the same time announced, that, owing to his high character and respectability, his appointment would not be cancelled.

20. Such, then, were some of the circumstances of the history of Nursoo Punt, of which the Bombay Government was cognizant. But I was ignorant of them when, in 1847, after nearly 10 years' absence from Guzerat, I assumed charge of the Baroda Residency. I found Nursoo Punt in office as native agent. I had never heard a word whispered to his disadvantage. His quiet, unobtrusive manners impressed me highly in his favour. His intimate knowledge of all that pertained to his office, the care and regularity with which he kept the records, and the familiarity with the most trivial of them that he displayed, attracted my notice, and excited my admiration, and I was led to believe that I should find in him a most useful and trustworthy man.‡

21. His industry was remarkable: he was ready to relieve me of all my duties; to spare me the trouble of investigation; to draft reports for me; and to leave me little more to perform than to sign my name, draw my salary, and, had I been lazy, or devoted to other pursuits, and thus tempted to allow him to be as useful as he wished to be, I doubt not I should to this day have believed him to be a perfect model of a public servant, as trustworthy as he is undoubtedly talented.

22. But though his zeal pleased me, and though I attributed it to the best of motives, I declined relying on him, or any subordinate, in the execution of my duties; and, before I had been very long in office, I had occasion to congratulate myself on not having allowed Nursoo's proffered assistance to tempt me into a perfunctory discharge of my duties. For I had occasion to suspect him of playing into the hands of Baba Nafra, into certain of whose proceedings investigations were then pending at the Residency, though at that time I was unaware that any family connexions whatever subsisted between them.

23. As I have explained in my report on the case of Joitabae Settanee, when noticing one of the extraordinary arguments against that lady's pretensions to be a mother, put forth by Captain French, the first thing to awaken my suspicion that Nursoo Punt was in collusion with Baba Nafra, was a transparently dishonoured attempt to warp my judgment, by a gross misrepresentation of Sir Robert Arbuthnot's conduct.§

24. The

* For which Baba Nafra and three others were ordered by Government to be excluded from the Residency.

† Letter dated 30 May 1844, No. 1,746.

‡ It is signified that, on my appointment to Baroda, Nursoo, who well knew the efforts I had in former days made to expose official corruption, attempted to get another appointment. He did not, however, at the time succeed; and the respect for him which his high character, zeal, and talents led me at first to display, prevented his renewing his application for removal, till in June 1848, when he found I had suspected his rogueries, and was on the eve of detecting them.

§ My yet unacknowledged report on the case of Joitabae Settanee was despatched from Baroda on the 5th April. It contains a full exposition of Baba Nafra's crimes against the widow of his late

24. The suspicions thus awakened, Nursoo did not allow to wear out. A succession of little traits of disingenuousness displayed by him in his daily intercourse with me tended more and more to inspire me with distrust of him ; and at length, though still ignorant of his family connexion with Baba Nafra, all doubts of his treacherous collusion with that bad man were removed by his conduct in two other cases, in one of which the Baba's interests were directly and deeply concerned.

25. The cases referred to were those of Govind Row Guicowar and Gorajee Pol. The former of these involve a false claim on Govind Row to an extent of nearly three lacks of rupees, indulged in by Baba Nafra, the manager of the Hurree Bhugtee firm, and supported by the substitution of one document for another, an act morally, if not legally, equivalent to forgery. The latter displayed a conspiracy to defraud Gorajee Pol by the mismanagement of the party to whom his estate had been intrusted by the Resident. And this conspiracy bore so strong a resemblance to a similar conspiracy got up by Baba Nafra against the same individual, which had been defeated by Mr. Malet, in 1837, as to justify the belief that it was a mere repetition of that attempt to ruin the Pol, and thus secure to the reigning Guicowar a reversion of the Pol's villages.

26. In the case of Govind Row, the native agent had allowed the claim to be prosecuted without expressing to me reasonable doubts of its honesty ; and he withheld from my notice documents in his custody which proved the iniquitous nature of the demand, and of the existence of which he could not have been ignorant. One of them had been entrusted to him within three years of my inquiry ; and it, and all the other papers relating to the case in question, were not merely in his general custody as native agent, but retained by him in his individual possession. Nursoo has ever been proverbial for methodical and careful arrangement and preservation of his office papers, and, as I have said, displayed a wonderful acquaintance with the details of every case pending at the Residency. Yet this paper, received by himself, retained in his own possession, and disproving a claim set up by his relative to nearly three lacks of rupees, he utterly ignored, till I told him that I would hold him personally answerable for their abstraction, if no papers were found in the office throwing light on the claims made against Govind Row. Then, and not till then, after a pretended search through bundles of papers relating to other cases, he professed to have found the documents that were conclusive against the claim, feigning an entire forgetfulness that such documents existed.

27. In the other case the native agent had connived at the embezzlement of the Pol's revenues, by failing to bring to the notice of my predecessor, that certain leases contracted by Mr. Ogiivy, on behalf of the Pol, had been suffered to become a dead letter, though well aware that these leases were still legally binding, and that by maintaining them on their original terms the revenues of the Pol would have been preserved intact.

28. Ceasing to have any confidence in Nursoo Punt, and finding that the case of Gorajee Pol was one which no European gentleman could unravel without native aid, I was (as stated in last section) compelled to seek the assistance of Venaik Moreshwur Fudkey.* As has already been mentioned, the Fudkey at first objected ; too truly predicting that, if he did assist me, he would, in the event of my going away, be victimized by Nursoo Punt, and colleagues in corruption, both in the city and in the Durbar. Little did I then think that this prediction would be verified to the very letter, and that a personal friend of my own, one whom I had ever honoured and esteemed, would, while acting for me in my absence, range himself against the Fudkey, and on the side of Baba Nafra and

master ; it details the disgraceful combination to defeat justice entered into by the Guicowar officials and courts nominated by his Highness to investigate the case ; it unfolds the perjuries, forgeries, and falsification of documents, connived at by this confederacy, with a view to screen the Baba ; and it proves that the temporary success which attended their efforts could only have been obtained through the corrupt collusion of Nursoo Punt, and, through the gross deceptions practised by him, on the acting Resident, Captain French, whose reports were in many instances (owing to the malign influence of Nursoo) as inaccurate in point of facts, as their recommendations were inconsistent with generosity and justice.

* I find that Nursoo, alarmed by the searching inquiries I was instituting into the cases then pending, forwarded his application to be employed elsewhere in June 1848.

and Nursoo Punt, of whose villanies I had implored him to beware. Little anticipating such an issue, I laughed at Baba Fudkey's fears, and at last persuaded him to take the case in hand.

29. Most admirably did he acquit himself of the task, and by his aid I was enabled to expose the rascalities of which the Pol had been the victim.

30. In handing up my reports on these cases to Government, it was of Nursoo Punt, which had compelled me to seek assistance from the Fudkey. But, as Nursoo had served for 30 years, and was, in respect of that period of service, entitled to a pension, I did not seek to press hardly on him. What the interests of my office demanded was, that I should be relieved of the man's presence; and, as he had already applied for permission to retire on his pension, I was in hopes that this object would be speedily attained. I therefore recommended no punitive measures; and I even conceded that what I believed to be the result of dishonesty might possibly be only chargeable to neglect. In handing up the case of Govind Row, a Guicowar, on the 31st of August 1848, I observed, that Nursoo Punt had "neglected to point" out to me causes of suspicion which he now acknowledges to exist, and others I have indicated, which, although he does not admit, could scarcely otherwise than have occurred to so shrewd a native as he is.

31. In handing up the case of Gorajee Pol, on the 7th of September, I thus expressed myself: "I regret to add, that my native agent, instead of exerting himself to arrest the evil which he must have known was going on, has not aided me to the extent that he ought to have done, in bringing the real state of Gorajee Pol's affairs to light, whether caused by apathy and most blameable carelessness, or culpable collusion with the Paruck, in the fraud the latter has been carrying on, I am unable to say, and must leave Government to form their own judgment, on the evidence I have submitted. But in this case, as in that which I reported on the 31st ultimo, I venture to express my hope, that, in consideration of his long services, the most lenient view the circumstances will admit of may be taken of the native agent's conduct."

32. Sickness compelled me to leave Baroda on the 12th September, and eventually to proceed to Egypt for change of climate. I reached Bombay on the 17th September, and, on my arrival there, I personally urged on the Chief Secretary, and on one of the members of Government, that advantage should be taken of the frauds committed by the Hurree Bhugtee firm to annul the guarantee enjoyed by it.

33. These guarantees are pregnant with embarrassment and mischief; they are only secured during the "good behaviour" of the parties holding them; their annulment, whenever opportunities occur, has been frequently enjoined on the local Government by the Court of Directors; and I deemed it of the utmost importance that advantage should be taken of the foul frauds practised by the firm of Hurree Bhugtee, to carry out, in respect of that house, the wishes of the Honourable Court.

34. Fearful that I might not have stated the case against the firm with sufficient minuteness and lucidity, I made reiterated requests that the case might be gone into before I left for Egypt. I volunteered to afford, personally or in writing, any additional information that Government might deem requisite for establishing the guilt of the accused parties. I pledged myself to substantiate all the allegations contained in my report, and I offered, if necessary, to postpone my departure to Egypt till the case had been disposed of.*

35. As it was, I remained in Bombay from the 17th of September till 3d November, ready and anxious to supply any information that might be required to complete what might seem defective in my reports, and to clear up aught that might be regarded as obscure.

36. But my offers were not accepted; and the only answer I could get during the six weeks I remained at Bombay, was, "Your reports are still in Mr. Reid's hands."

37. How

* I should most undoubtedly have delayed my departure, had I contemplated what actually followed.

37. How long they remained in that gentleman's hands, I cannot, of course, say. But, on my departure for Egypt, they had been in the possession of Government, the first exactly eight, the second seven weeks; and six weeks after my departure Government promulgated a decision,* which, while it admitted that the house of Hurree Bhugtee had attempted to defraud an individual enjoying the British protection, to the extent of nearly three lacks of rupees, passed over in perfect silence the charge which I had brought against the firm of constructive forgery;† took no notice of letters which had been sent to the two members of council, intimating that it would be for their benefit to promote the interests of the bank,‡ and withheld the only punishment in the power of Government to inflict for the attempt at extortion of which the bank had been guilty, viz. the annulment of the mischief-working guarantee.

38. On the 12th of January Government issued another despatch, which entered at length into both my reports, of the 31st August and 7th September 1848, and though in the Gorajee Pol case Government acquiesced in my decision, and disallowed the fraudulent cancelment of the leases, by which the value of his property had been so seriously deteriorated; neither in its remarks on this, nor in those on the Govind Row Guicowar case, did it attach any blame whatever to the native agent.

39. The despatch in question§ contained a most ingenious and elaborate defence of Nursoo Punt assertions; and recommendations, elicited by me in my cross-examinations of that individual, after he was aware that I had got a clue to his dishonest practices, were treated as if they had been spontaneous communications, volunteered by the native agent. It was assumed, and the assumption was in direct variance with fact, that the native dufters made up during Nursoo's incumbency

* Letter dated 15 December 1848, No. 5,249.

† In reference to this ignoring of the charge of substitution which I had brought against the bank, I beg to subjoin the following extract from a despatch of the Honourable the Court of Directors to the Bombay Government, No. 4, dated 13 February 1850, paras 14 and 15:

"14. We had called your attention to the opinion of Lieutenant-colonel Outram, that the firm of Hurree Bhugtee had submitted a false bond, bearing interest, for 9,001 rupees, in the room of a mere acknowledgment of a balance of debt; an act which, if committed, would amount to forfeiture of our bhandary. You now, after a reference to Captain French, report, 'No proofs exist in support of Lieut.-colonel Outram's suspicions.' This is more than is borne out by the report of Captain French, who merely stated that he was not aware of any grounds beyond those reported by Colonel Outram for supposing, &c., having previously stated that no further steps have been taken to ascertain the true state of the case.

"15. The grounds adduced by Lieut.-colonel Outram were strong, and, in his opinion, conclusive. He distinctly stated, in para. 4 of his report of 31 August 1848, that the Sowkar had substituted, for the receipt passed in 1830, a former bond for 9,001 rupees, dated 4 February 1820, not endorsed by the Resident, and produced it as having been confirmed by the Resident in this item. The case, certainly, was not brought very clearly before Government in Lieut.-colonel Outram's letter; but we should have expected that, if his conclusion was not admitted, the insufficiency of his reasons would have been shown, or the subject referred to him for further explanations. We desire that the question be taken into the deliberate consideration of your Government, in order that, in the event of Colonel Outram's opinion being proved to be correct, you may annul your bhandary."

On the 28th of May 1850, Mr. Secretary Goldsmid communicated to me the Court's sentiments. On the 15th July I again reported, and on the 2d of January 1851 Government replied as follows, through Mr. Secretary Malet:

"I am directed to inform you, that the decision of Government in this case will be deferred pending the receipt of your report regarding the conduct of Baba Nafra, the Goomasta of that firm."

This decision, like all others affecting the wealthy at Baroda, was, I have reason to believe, communicated through my office, and, coupled with the original ignoring of my charge on the part of Government with the letters received by Messrs. Reid and Willoughby, with the mission of Joteshwar to Bombay with instructions from Baba Nafra to bribe Mr. Reid, with the feeble aid I had received in my proceedings against Baba Nafra, with the fact, that though Government had not interposed in behalf of Joitabae, they desired me to see that no undue severity was practised on Baba Nafra, till Government had confirmed the sentence passed on him by Guicowar; and with the fact, that while the one case affected the firm, the other was wholly personal to the Baba himself. Coupled with these and the numerous other facts adverted to in this report, the decision of Government, I am satisfied, cannot have failed to make an unfavourable impression at Baroda.

‡ What the particular case was to which those letters referred, I am not in a position to state; but I know, from the written statements of Mr. Willoughby, that such letters were sent both to himself and his brother councillor, Mr. Reid. Mr. Willoughby duly recorded this insolent proceeding, and, doubtless, Mr. Reid did the same; but it is unfortunate that no reference was made to these letters in the Government despatches of the 12th and 4th January, to satisfy Baba Nafra, the manager of the bank, and those who were aware of the letter he had caused to be written, that the gentleness displayed by Government in reference to the bank's proceedings was manifested in spite of, not in consequence, of these letters.

§ Letter dated 12 January 1849, No. 204.

incumbency of office, were in a state of confusion which would fully account for his not finding the papers I had charged him with concealing. Pleas and arguments were urged in his favour, which it had never occurred to himself to advance, and points which I had thought it unnecessary to elucidate, never dreaming that Government were going to undertake the defence of a man against whom I had made no punitive recommendation, but points which I could readily have cleared up, had Government applied to me, were treated as though they were matters which I had attempted, but had failed, to establish.*

40. Not only did Government acquit Nursoo Punt of all blame, but it erroneously charged me with not having acquainted him with accusations I had brought against him.† It severely censured me for having presumed to record the suspicions I had expressed of him; and not only did it severely censure me in my absence, on the strength of misapprehensions and erroneous assumptions, which I could very easily have removed, had a reference been made to me during the six weeks I remained in Bombay, anxious to be allowed to substantiate every allegation made in reports. But the tendency of the Government despatch was, to prevent me, at any future period, vindicating myself for exposing Nursoo Punt; for it expressly declared that it was quite unnecessary even to require his (Nursoo's) explanation on a single point in these transactions.‡

41. Nor did the Government merely exonerate a public servant, in whom I had reported that I could place no confidence;* censure me, in my absence, for presuming to record my want of confidence in him, and authoritatively exempt him from any further questioning on the points which had led me to distrust him. It had previously, on the 4th of January, indirectly invited the man in question to remain in its service, and in occupation of the highest and most confidential post on my own establishment, and this it had done, notwithstanding that he himself had sought permission to retire on his pension. Nay, in tendering this invitation, Government hypothetically assumed, that Nursoo's application to retire might have arisen from his feeling it impossible to serve under Colonel Outram, after what he may consider the unjust treatment he has received at his hands; and it intimated, that had not Nursoo's application for his pension anteceded my accusations against him, my unjust treatment of that public servant would have afforded reasonable ground for his application to retire from the service.

* S. O.

42. Such, at least, seems to be the obvious meaning of the following passage: had the application of "Nursoo Luxmon arisen from his feeling it impossible to serve under Colonel Outram, after what he may conceive the unjust treatment he has received at his hands, his Lordship in Council would not object to allow him to re-consider his application, now that Colonel Outram is no longer at Baroda; but such is not the case, as his intention to retire on the completion of his 30 years' service had been previously brought to the notice of Government, from which it is inferred that he has now no desire to continue in employment. If, however, Nursoo Punt's services are required by you (Captain French), his Lordship in Council will not object to give him the option of withdrawing his application."

43. He was allowed to withdraw his application, and remained as native agent till

* Nursoo was not slow, when brought to trial in June 1851, to avail himself of the pleas in his behalf that had been advanced by Government in their letter of January 1849.

† On his trial, referred to in the preceding note, Nursoo had the impertinence to repeat this statement. I neglected to call on Mr. Battye to prove the falsehood of the statement; but the subjoined note from that gentleman will prove that it was a falsehood, and a gross one:

Note from Mr. Battye.—"Yes, most certainly; had I been examined on the subject in the Commissioner's Court, I should have shown that you did, before proceeding to Bombay in September 1848, in my presence, very distinctly and explicitly charge Nursoo with the deceptions, and withholding of information, practised by him in reference to the Gorajee Pol and Govind Row Guicowar cases, and you then told him you were about to report to Government on the subject. I well recollect his face and manner when he received the intelligence."

I am the more surprised at Government expressing its belief that I had not made Nursoo aware of the offences I had charged against him in my reports, as I have since learned that it was in possession of a petition from the man himself not to be condemned unheard, a petition transmitted to Government in an irregular and unjustifiable manner, and one which was never shown to me, nor its existence hinted at during my protracted stay in Bombay.

‡ Government letter of the 12th January 1849.

till my return from Egypt, to the serious injury of the reputation of the Government, whose name he was dishonouring.

44. It can scarcely be a matter of surprise, that the decisions of Government on my reports of the 31st August and 7th September 1848, should, under the circumstances just detailed, have been attributed to some irregular influence, by men deeply imbued with the belief in khutput, retaining a vivid recollection of the proceedings of Mr. Sutherland, Mr. Malet, and myself, at a time when the gentlemen then in Council had filled the office of secretaries, aware that these gentlemen had been made cognizant, by Mr. Remington, of the family ties which bound Nursoo to the leading corruptions of Baroda, and at the same time well acquainted with Nursoo's real character.

45. And unfortunately the circumstances already detailed were not the only ones which, in native estimation, proved the Government decisions to have been procured through khutput. Other incidents appeared to them to betoken, not only that khutput had been made, but that it had been made through Mr. Reid, the senior member of Lord Falkland's Council, and one of Nursoo's patrons.

46. I have stated that Mr. Reid* had received a letter, intimating that it would be for his benefit to procure decisions in certain cases in favour of the firm of Hurree Bhugtee; I have stated further, that during the six weeks I was in Bombay, prior to sailing for Egypt, the answer made to all my applications was, "Your reports are still in Mr. Reid's hands;" and though I cannot positively affirm that such was the case, I have little doubt that the long retention of my reports by that gentleman was duly communicated to Nursoo Punt and Baba Nafra by their unprincipled correspondents in the Government Secretariate, who kept them apprized of the various proceedings of Government that in any way affected their interests, as the traitors in my own office did of my various proceedings and representations.†

47. But, be this as it may, it is a matter of notoriety in this city, that though, on the 5th November 1848, Government received a petition from Baroda, in which Nursoo Punt was accused of having openly boasted of the impunity which he and his friends enjoyed through Mr. Reid's favour, this petition was not sent to the acting Resident to have the authenticity of its allegations investigated until the day after that on which Government had forwarded its ‡ invitation to

Nursoo

* On the 7th September 1850, a few months after my return from Egypt, I addressed a letter to Government (No. 207 A.), in which I analysed the arguments which it had adduced in behalf of Nursoo Punt, and condemnation of myself. I respectfully, but, as I think, satisfactorily, showed that not one of these arguments were really cogent, being founded on defective information and erroneous assumptions; and I expressed my confidence that this being demonstrated, Government would withdraw its censures, and express their satisfaction with my conduct. I wrote, "Such a proof of their approbation I ask, not for my own sake, from no feelings of wounded vanity, from no selfish craving for personal compliments—I ask it with a view to the maintenance of the dignity and moral weight of the office of which I am the incumbent."

Government knew that I was at the time engaged in a new and a most harassing struggle against the deep-seated corruption of Baroda. It must have been obvious to it that any display of its countenance and support would greatly aid my exertions; and I was therefore inclined to hope that such a display would not be withheld, the more so as another despatch, transmitted to Government the same day (No. 207 B.), afforded a strong presumption in support of the charge against Nursoo Punt, of having boasted of corrupt alliance with Mr. Reid, a charge before Government, but of which it took no notice when it issued its exculpation of Nursoo Punt. Under these circumstances I did not deem it necessary to recall to the recollection of Government the circumstances of which Mr. Reid could not have kept it ignorant, that some time prior to the consideration of my reports, that gentleman had received a letter—anonymous, I believe, as all such letters generally are, but leaving no doubt as to whence it came—intimating to him that it would be to his advantage to secure decisions in support of the firm, of which Nursoo Punt's wicked and wealthy relative was manager.

In the event, however, of Government not deeming my reply to its vindications of Nursoo Punt conclusive, I begged that my letter of the 7th of September 1850 might be transmitted to the Court of Directors, as a respectful appeal to that honourable body against the proceedings of the local Government, an appeal extorted from me by a regard to the interests intrusted to me. Up to the present day (October 1851), I have been left ignorant whether my letter has been sent on to the Honourable Court. All that I know is, that, far from rendering me any aid, or affording me countenance, the proceedings of the Bombay Government have been regarded by the natives as indicating a determination, on the part of that body, to screen the guilty, and to frustrate my efforts to bring the corrupt to justice.

† On the seizure of Baba Nafra's papers, I discovered in his possession copies of various documents that had been received from my office, and translations of Government papers.

‡ Both the letter, permitting Nursoo Punt to withdraw his application, and that forwarding the petition against him, bear date the 4th of January; but the office register proves, that while the former was despatched so as to reach Baroda on the 8th, the latter did not arrive till the 9th.

Nursoo to remain at the head of the native department of my own office—an invitation which implied that the charges I had made against him were quite unfounded, and which thus involved a heavy censure on myself, and the most unmitigating manifestation of its displeasure in the power of Government to display. And in estimating the effect on the native mind of the attention of the petition, it should be remembered, that 20 days after it had been in the possession of Government, and 20 days before it was sent to Captain French, Government had communicated to that officer* its decisions on the Govind Row Guicowar case, which took no notice of the charge of constructive forgery brought against Baba Nafra, whom, as alleged in the petition, Nursoo boasted of screening, in other matters, through the agency of Mr. Reid.

48. I subjoin portions of the petition; and when its allegations are considered in connexion with the several facts enumerated in the preceding paras., it will, I think, be admitted, that the people of Baroda had what they must have regarded as ground for believing that some high influence had been exerted to keep it back till Government had, by its compliment to Nursoo, which implied his honourable acquittal from the charges I had brought against him, and which was practically a severe censure on myself, effectually deterred the author from avowing himself, and had thus placed the native agent in the position of a cruelly maligned man: "About two months ago, Colonel Outram discovered some of his (Nursoo Punt's) treacherous acts, and he being afraid that all would come to light, and prove his ruin, begged pardon, and applied for pension;† this rejoiced all the people of Baroda, excepting a few, who used to give him bribes, and get him to do their business. However, he now openly says, 'I have the support of Mr. Reid, the councillor; I have forwarded to him a petition, together with a memorandum of 'kulumbundee' (paragraphs of instructions or information). As my friendship with him is of a secret nature, he will protect me from the consequences of my crime: even Outram's father cannot injure me; what can others do then? I shall apply for a pension whenever I like; no one can read the further representations of the parties whom I have injured. Although the charge of murder was proved against Baba Nafra, karbarry of Hurree Bhugtee, I did not allow even a hair of his body to be injured. On the contrary, I have made the widow of Hurree Bhugtee to go about begging.‡ In like manner, I will ruin the persons who have been rejoiced by the hope of my leaving (the situation). Gunesh Punt and Baba Nafra are my relations, and, consequently, I have full means (to work) with the Guicowar government. Therefore I am not afraid of anything. I shall spend as much money as may be necessary to secure the assistance of European gentlemen at Bombay, and shall continue to hold this situation.' These proceedings of his have frightened the people: * * * I am fully confident Mr. Reid will not stain his character for uprightness, known throughout India, by supporting such (a) corrupt man. I beg to assure Government, that if this native agent be suspended from office, and an inquiry instituted, his fraudulent and corrupt conduct will be proved. He gave up the office of dufterdar to the Revenue Commissioner, where he received 500 rupees per month, and has come here on a salary of 300 rupees."

49. The

* Letter dated 15 December 1848, No. 549.

† It was undoubtedly true, as the petitioner stated, that Nursoo had applied for his pension so soon as he discovered that his conduct had awakened suspicions, which he knew, from my past history, I was little likely to leave unsolved.

‡ Baba Nafra had engaged in a foul conspiracy against Joitabae Settanee, one of the widows of his late master, and her infant son. He had imprisoned that lady and her father in a dark room of the bank, and, under the false plea, supported by perjury, that the infant was a spurious one, he had forcibly abducted it, and placed it in the custody of some of his Arab mercenaries, in whose hands it had speedily died. It was Nursoo's dishonest attempt to make me believe that my predecessor, Sir R. Arbuthnot, had regarded the child as spurious, that first awakened my suspicions that he was in collusion with Baba Nafra. Soon after my departure, and before Captain French's arrival, Nursoo surreptitiously obtained the signature of my assistant, Mr. Battye, to an endorsement on a yad from the Durbar, in which that officer was made to say that no further interference would be made in behalf of Joitabae. A few days after procuring Mr. Battye's signature to this paper, and about a month before the date of the petition, Nursoo received 28,070 rupees from Baba Nafra, as a memorandum written by the Baba's brother proved, "on account of the business" of the child. Up to the date of the petition he had most assuredly prevented "a hair of Baba Nafra from being injured." The widow of Hurree Bhugtee had in very deed "been made to go about begging," a result that could not have been obtained but for the collusion of Nursoo Punt with her prosecutor, his own wealthy and wicked relative.

49. The petition from which the above extracts are taken, bore a fictitious signature. But though this may have been suspected, inasmuch as natives very rarely give their names in such cases till they see that the authorities are inclined to take up the case in earnest, Government could not have known that such was positively the case when it ignored the petition, till after Nursoo's honourable acquittal; and even had Government been duly apprised that the signature of the petition was a fictitious one, this circumstance would not, in a native estimation, have affected the case; for it is not at all unusual to investigate charges conveyed in anonymous or fictitiously signed petitions:* the petitioner had volunteered to substantiate all his allegations, were Nursoo Punt temporarily suspended from office; that he really intended to do so is apparent, from his having come forward after Nursoo had ceased to be native agent; and while Nursoo remained in power, he might well have dreaded the wrath of that individual, and of his powerful and corrupt friends, both in the city and in the Durbar.

50. The allegations of the petition bore on their surface a strong air of verisimilitude. Unless Nursoo had made such boasts, how was it likely to enter the petitioner's ear that a man who had applied for his pension, would seek, or could expect a renewed lease of office? Nursoo had never officially withdrawn his application; but he had, in a most irregular manner, sent in a petition, which was never brought to my notice by Government; and how on earth was the petitioner to know this—a matter which Nursoo Punt had deemed it expedient to keep from the knowledge of Mr. Battye, then in charge of the Residency, save from Nursoo himself? Nursoo's relationship with Baroda corruptionists had been brought to the notice of Government by Mr. Remington; and the sacrifice of salary he made by his change from Poona to Baroda was no fiction.

51. What has been already urged, will show that the people of Baroda, to a man, believe in the efficacy of khutput—must have thought they had good reason for assuming that the decisions of Government on my reports of the 31st August and 7th September 1848 had been improperly obtained; and it shows, that ere the decision had been given, Mr. Reid's name had been lightly handled.

52. What, then, must have been the general opinion regarding that gentleman, when one day, prior to the receipt by Captain French of the Government vindication of Nursoo Punt, that individual paraded a letter, of which the following is a copy:

“The Honourable Mr. Reid directs me to inform you, that your petition, dated the 18th September last, has been received by Government, and, after carefully reading it, and taking into consideration your services of 30 years, Mr. Reid wrote a minute strongly recommending your case to the merciful consideration of Government. Accordingly, an order will be issued in a few days to Captain French, desiring him to tell you, that as Colonel Outram is gone from Baroda, if you wish to continue as native agent, Government will have no objections to your withdrawing your application for pension: Captain French will also be informed that Baba Fudkey is not to be allowed to have anything to do with Government business.

“Mr. Reid says, when he goes out of Council, he will recommend you to the protection of Mr. Willoughby; but that you should be very careful how you conduct

* On the 8th of May 1846, a fictitiously signed petition (alluded to in the preceding section) was despatched from Baroda by one of Nursoo's friends, accusing the Fudkey of having received money under pretence of being able to secure the Bombay aid of Mr. Secretary Malet. This petition could not have reached till the 11th of May, and on the 21st of that month, ere yet it had been ten days in the Secretariat, it was sent to Mr. Andrews, the acting Resident, “for report.” The excessive rapidity with which this one was sent, compared with the long and peculiarly circumstanced detention of the other, can hardly have failed to be noticed, and commented on, by the natives of Baroda, who knew the harsh treatment the Fudkey had received when a candidate for the office of native agent, in opposition to Nursoo. Mr. Andrews investigated the allegations contained in the petition written by one of Nursoo's party against the Fudkey, and found that they could not be substantiated: whereas Captain French, who received the petition on the 9th of January, reported, on the same day, that no such “person (as the petitioner) can be found here.” During the few hours the petition was in his possession, it was utterly impossible for Captain French to have ascertained whether such a man existed or not, in a city containing a population of 80,000 inhabitants. And I know, as a fact, that no public notice was issued, inviting the petitioner to come forward. Deference to the compliment which Government paid to Nursoo Punt, through himself, on the previous day, probably predisposed Captain French to lend a ready ear to the assurance of his native agent, that the petitioner was a mere anonymous slanderer.

conduct yourself. You must not, on any account, allow your private feelings of enmity against Baba Nafra to interfere with the business of the house of Hurree Bhugtee at the Residency. That firm is an old firm; and, in consideration of the service which that firm rendered in former years to the Guicowar Government, the Bombay Government treats them with respect; and though Colonel Outram strongly recommended that their bhandry should be cancelled, still, by the favour of Mr. Reid and Mr. Willoughby, this has not been done. Therefore, you must not try, from bad feeling, to injure that firm.

"3 January 1849.

"Yours, &c.
(signed) J. R. Maurice.

"P.S.—Keep the contents of this letter secret; and as soon as you read it, write an answer to me, and thank Mr. Reid for his kindness to you. Address me by post, Mr. J. R. Maurice, at Mr. Reid's House, Bombay."

53. There was no Mr. J. R. Maurice, but there was a Mr. J. Morris, who was understood to have been a confidential clerk of Mr. Reid's when that gentleman was Secretary in the Revenue Department, and to have been subsequently transferred to a high appointment in the Sudder Adawlut, of which Mr. Reid was ex-officio Chief Judge. The letter was not in the handwriting of this individual; it was evidently written by a purvoo, but, as the phraseology shows, at the dictation of an Englishman: it bears not a trace of native composition; and on the assumption that Mr. Morris, mindful of the maxim, '*Litera scripta manet*,' got a native clerk to copy his communication to Nursoo; the erroneous orthography of the signature is susceptible of easy explanation. It may have been an accidental blunder of the amanuensis, who was guided by his ear; or, and this is far the more likely supposition, it may have been designedly adapted with a view to create a loophole for escape, should Nursoo not "keep the contents of this letter secret," and thus hereafter imperil his correspondent. The similarity of the two names was sufficiently great to justify Mr. Reid in taking in any letter to the address of "Mr. J. R. Maurice," and handing it to Mr. J. Morris; and it is difficult to conceive that any one, save Mr. Morris, or some one having a secret understanding with him, would have taken the trouble to write such a letter to Nursoo Punt, and to have directed him to send a reply, which the writer of the letter was not destined to see. It is difficult to suppose, as Mr. Morris now alleges, that the letter was written without his cognizance; there was no conceivable object to be attained by such an artifice. The reply which Nursoo was invited to send was almost certain to reach Mr. Morris. That individual, if innocent of the letter which had elicited the reply, would naturally have submitted the letter to Mr. Reid; an investigation would have taken place, and an investigation instituted at that early date would most probably have issued in the detection of the writer of the letter; for those in a position to write it, must have been few, and easily identified. The investigation would, at all events, have exonerated Mr. Morris and Mr. Reid, and thus have frustrated the objects of the writer, if in writing the letter he was inspired by any sinister design against these persons; a supposition irreconcilable with the entreaty to keep the contents of this letter secret. To suppose that the letter was written out of enmity to Nursoo, as that individual has since pretended, is simply absurd. The letter was a kind one: it combined early and authentic information with sound advice. Nursoo took good care to have it displayed in quarters where it was his object to create a belief that his influence in Bombay was paramount, and he never submitted it to any of his superiors, as he undoubtedly would have done had he regarded it as an invention of the enemy.

54. I have, in Appendix (A.), entered at some length into this matter; I have there endeavoured to show that the people here can hardly be expected to entertain any other belief than that the letter was written by the orders of Mr. Reid; and I have drawn attention to the fact, that whether or not Mr. Morris was the individual who caused the letter to be written, the revelations that have been made clearly indicate that the most confidential clerks in the Government Secretariat have shamefully betrayed their trust. For that Appendix I would respectfully bespeak a careful perusal. Appendix (A.)

55. But, whether or not Mr. Morris caused the letter to be written, there can be no doubt that the writer of the letter in question must necessarily have been

some one either possessing the confidence of Mr. Reid, or having access to the Government records.

56. Whether Mr. Reid, in whose hands my reports remained for such a length of time, did really write a minute, which formed the basis of the Government despatches of the 4th and 12th of January 1849, I cannot, of course, say; but it is an undoubted fact that the rest of the information thus conveyed to Nursoo Punt, in a letter dated on the 3d of January, posted at Bombay on the 4th, and which reached Baroda on the 7th, did exactly tally with the contents of two Government letters, which reached Baroda on the 8th and 15th respectively.

57. On the 3d Mr. Maurice wrote, "Accordingly an order will be issued, in a few days, to Captain French, desiring him to tell you, that as Colonel Outram is gone from Baroda, if you wish to continue as native agent, Government will have no objection to your withdrawing your application for pension."

58. And on the 4th Mr. Secretary Malet, as has been seen, wrote, "Had the application of Nursoo Luxmon arisen from his feeling it impossible to serve under Colonel Outram, after what he may consider the unjust treatment he has received at his hands, his Lordship in Council would not object to allow him to re-consider his application, as Colonel Outram is no longer at Baroda; but * * * it is inferred that he has no desire to continue in employment. If, however, Nursoo Punt's services are required by you, his Lordship in Council will not object to give him the option of withdrawing his application."

59. Equally consistent with the official letter of the 4th, was its now official precursor of the 3d, as regarded Baba Fudkey; for Captain French was instructed "not to allow the interference of this person in any Government business whatever."*

60. Again, though I do not presume to say that it was "by the favour of Messrs. Reid and Willoughby," it is an undoubted fact, as stated by Mr. Morris, that though Colonel Outram strongly recommended that their (Hurree Bhugtee's) bhandry should be cancelled, still * * * this has not been done, nor had the constructive forgery, which formed one of my strongest arguments for the concealment of the guarantee, been once adverted to in the course of the long despatch of the 12th January, which entered so minutely into other matters.

61. The allusion to Nursoo's supposed enmity to Baba Nafra proves that the former practised the same deception in his communications with Bombay, that he so successfully imposed on Captain French, leading that officer to believe that he entertained hostile feelings towards the man whose interests he was promoting.

62. The intimation that, on Mr. Reid's departure, Nursoo would be handed over to the special guardianship of Mr. Willoughby, and the advice to Nursoo to be careful how he behaved himself now that Mr. Reid was no longer in a position to protect him, must, I think, to the khutput-hugging natives of Baroda, who were ignorant of the high moral character of the two members of Council, and who had been attentive observers of what has been recorded in the foregoing pages, have appeared to stamp the letter with an air of verisimilitude, and be demonstrative that it was really written by Mr. Reid's orders.

63. That Nursoo's kinsman, Baba Nafra, regarded Mr. Reid as having secured in Mr. Willoughby a protector to the firm, as well as to Nursoo, is pretty clearly proved by the subjoined translation of a letter addressed to that gentleman, in the name of the child who is heir to the bank of Hurree Bhugtee. The letter, dated 13th August 1849, was found amongst the papers of Baba Nafra, which were seized by the Durbar, at my request, during my investigation of the case of Joitabae Settanee:

"I have deputed my vakeel, named Joteshwur Echabhoy, to you, to make known my circumstances to you, and hope you will, after kindly considering the matter, make a just arrangement regarding my case. The people here, your
well-

* As I have shown in the preceding section, I had found that this prohibition against his employment has been practically removed by a subsequent letter from Government, authorizing the Fudkey to apply for employment on the occurrence of a vacancy.

well-wishers, place implicit confidence on your friendly feeling towards them, and that, as you have hitherto kept a kindly regard on the house of Hurree Bhugtee, you will continue the same now, and afford just assistance to us.

“ (signed) In the name of *Purshotumbhaee*,
By *Wamon Row Nafra* * *Baba Nafra*.

“ *P.S.*—The above letter is sent by the hand of Joteshwur, on the 10th Shrawun Vud 1905 (13 August 1849).”

64. The “Maurrice” letter, it will have been seen, refers to a petition sent by Nursoo Punt, on the 18th of September 1848, six days after my departure from Baroda, and which, as the context shows, was designed to neutralize the effect of my strictures on his conduct. Mr. Battye assures me that no petition was sent through him. It thus appears that Nursoo took the irregular and reprehensible course of communicating direct to Government a document which he was ashamed or afraid to show to his official superiors, and that the communication thus irregularly sent, was duly received by Government. The petition in question must have reached Bombay on the 21st of September. Not only did I remain there till the 3d of November, but I was frequently importuning for a disposal of the cases, in reporting on which I had passed strictures on Nursoo; yet not only was the petition never shown to me, but its existence was never so much as hinted at.†

65. That in keeping it from my knowledge, Government was actuated by the purest motives, and by a regard to my feelings, is, of course, certain. But it is very unfortunate that my feelings, or any other consideration, were allowed to prevent the petition being submitted to me. For the allusion to it in the “Maurrice” letter was painfully calculated to impress the minds of the people at Baroda with the belief that more confidence was placed by Government in one known on the spot to be a rogue, than on a British gentleman who had served Government faithfully for 30 years, and whose name had never been coupled with a transaction of questionable character.

66. And it is further to be regretted that the receipt by Government of this irregularly transmitted petition was not deemed sufficiently corroborative of the allegations contained in the petition against Nursoo, recorded on the 25th November, to justify that document being sent to Captain French for report prior to his being authorized to continue Nursoo in the appointment of native agent.

67. The petition against Nursoo, as has been already seen, invoked no punishment on him. It simply expressed great alarm at the prospect of his being continued as native agent, and great anxiety that, before Government did so continue him, it would give the petitioner and others an opportunity of showing his moral unfitness for the office. Whence this alarm? wherefore this anxiety?

68. It was no secret that Nursoo had applied for permission to retire on his pension; the petitioner avowed himself aware of it; and the only doubt likely to rest on the minds of the people was, whether, after my representation, Government would permit him to draw the full pension to which his 30 years' service otherwise entitled him. The very last idea likely to present itself spontaneously to their minds was, that he would be invited to withdraw his application for pension, and to remain as native agent. It is difficult, if not impossible, to conceive how such an idea could have existed, had it not been suggested by Nursoo

* Wamon Row Nafra is the man's proper name; Baba Nafra his abbreviated and familiar designation; Joteshwur, as will hereafter be seen, was the same that Baba Nafra had, at an earlier date, sent to Bombay to give bribes to Mr. Reid.

† I have already observed, that I had expressed my readiness to defer my departure to Egypt, to enable me to afford Government such additional information regarding my reports as they might think necessary; and had I been aware that Nursoo Punt had petitioned to be heard in his defence, I should most assuredly have remained till that defence had been disposed of. He had never hinted to me that he had any defence to make beyond the explanations offered to me, which were handed up with my reports: he never volunteered one to me: if he had offered me a mendacious one, I should myself have investigated it; and in bringing his conduct to the notice of Government, I should have drawn attention to his impertinent persistence in dishonesty, and have invoked punishment on him. Deeply, therefore, do I regret that Government should have allowed me to remain in ignorance of the petition of the 18th September, during the six weeks that elapsed between its receipt by them and my own departure for Egypt. Had it been brought to my notice, much suffering might have been spared to Jaitabae Settnae, and much obloquy averted from Government.

Nursoo himself; and when, in addition to this consideration, there are the broad and palpable facts, that the petitioner averred that Nursoo boasted of having sent an appeal to Government, and that such an appeal was actually sent, the whole allegations of the petition are, I think, invested with a strong air of verisimilitude.

69. When the copy of the "Maurrice" letter which came into my possession, apprised me of the existence of the petition, I addressed the following letter to Government: "It having come to my knowledge that a petition from my late native agent, Nursoo Punt, dated 18th September 1848, was received and taken into consideration by Government, when the cases submitted by me on the 31st August and 7th September of that year, Nos. 209 and 215, to which it has reference, were under consideration; I trust I shall not be considered unreasonable in soliciting the favour of being furnished with a copy of that document, which does not appear to have been communicated to this office, as it could only have had reference to my official proceedings in the investigation of the cases alluded to."

70. My letter dated 11th January 1851 was replied to as follows, on the 8th of February:

"I am instructed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 11, dated the 11th ultimo, requesting to be furnished with the copy of a petition forwarded to Government by your late native agent, Nursoo Punt, on the 18th September 1848.

"In reply, I am desired to state, that, as it was not at the time considered necessary to forward a copy of this petition to you, and as the petitioner merely requested that he might not be condemned without being heard in his defence, his Lordship in Council considers it unnecessary to furnish you with a copy of the petition."

71. When even in the Government Secretariat traitors are found, it cannot be a matter of surprise that the contents of every letter that reaches or is despatched from my office, should be communicated to those whose interests they affect. And the fact thus officially authenticated by Government, that Nursoo's petition of the 18th September contained only a request not to be condemned unheard, is calculated to make the natives believe that, as he was alleged by Jey Row to have boastfully stated, he did actually send a secret memorandum of "kulumbundee" to Mr. Reid. For it would have been transparently absurd in Mr. Maurrice to represent Mr. Reid as "carefully reading" a simple request not to be condemned unheard; and further, Mr. Maurrice refers to the enmity towards Baba Nafra, so well enacted by Nursoo Punt, a circumstance that would seem to imply that representations had been made by the latter, which the Government letter indicated could hardly have been introduced into the petition; and it was a matter which I have reason to believe has been the subject of much comment in my office, that though Government was possessed of Nursoo's very irregularly sent petition "not to be condemned unheard," it should have thought itself justified in accusing me, by implication, of having kept him in ignorance of the charges I have preferred against him. I subjoin the last para. of the Government letter vindicating Nursoo Punt:

"In conclusion, I am desired to inform you, that, so far from concurring in Colonel Outram's opinion, his Lordship in Council is persuaded that the examination in the cases before Government has removed from Nursoo all suspicion of misconduct in respect to them. Under these circumstances, it is unnecessary even to inform him of the nature of the imputation cast on him (which seems not yet to have been intimated to him), or to require explanation on any single point in these transactions."

72. The removal even of "suspicion" from Nursoo, whose character was well known at Baroda, and the sharp censures passed on myself, who had certainly rendered as pure and as long, if not as valuable, services as Nursoo, without giving me an opportunity of vindicating myself, I think, have excited the notice of my establishment, who read the following exposition of the motives which induced Government to enter into so elaborate a defence

defence of my native agent, and a defence which they were well aware was not unassailable:*

"His Lordship in Council feels himself compelled to enter at some length into the charges alleged against Nursoo Punt; because, while it is an easy matter, and requires but few words, to cast imputations on a native servant, and on general considerations to declare him fraudulent and untrustworthy, his relief from such imputations cannot be so summarily effected. The character of native servants of high rank and standing ought to be objects of the peculiar care of Government, which should not admit of their being assailed lightly on grounds not shown, after severe scrutiny, to be sufficient."

73. Unfortunately I have not yet exhausted the reasons which the natives of Baroda have to assign for their belief that Mr. Reid rendered corrupt aid to Nursoo Punt and his kinsman, Baba Nafra. The circumstances I am about to detail will partly explain, not only how the belief that was the case became strengthened, but how the idea has got abroad that Government is the reverse of anxious to facilitate inquiries into those matters with which Mr. Reid's name has been intermixed.

74. It having come to my knowledge, during the investigations of the case of Joitabae Settanee, that Joteshwur Itcharam had been deputed to Bombay about July 1848 † by Baba Nafra, to forward the interests of that individual, I sent for him, and examined him on the 12th July 1850. He avowed having been sent by Baba Nafra, and to have spent 22,000 rupees; but when pressed to explain how this sum had been expended, he professed to have forgotten, and told me that the accounts were in Bombay, in the hands of his brother-in-law, Bulvunt Row Hurryram. Being aware that the papers in Bulvunt Row's possession, would disclose facts of importance, I forwarded a copy of Joteshwur's statement to the Chief Secretary to Government on the 12th July, along with a demi-official note, in which I suggested that steps should be taken to secure the papers, and explained the objects I had in view. † Mistake for 1847.

75. To my letter the following reply was written on the 18th:—

"With reference to the suggestion contained in your private note to my address, dated 13th instant, that certain papers, said to be in the possession of one Bulvuntram, may be seized; I am directed by the Right honourable the Governor in Council to inform you, that Government, having consulted the Advocate-general on the subject, that officer has given it as his opinion that the seizure cannot be legally effected."

76. In the meantime, on the 21st July, I had received further disclosures from Joteshwur. He confessed that the object of his mission was to bribe Mr. Reid, and that he was sent at the instigation of Nursoo Punt. He avowed having given various sums, in bank notes, to a third party, to be given to Mr. Reid. He also mentioned, that amongst the papers of Bulvuntrow, proof would be obtained of the accuracy of his statement.

77. On the 22d of July I forwarded this deposition to the Chief Secretary, and suggested measures for tracing the notes said to have been given to the go-between in the case—a clerk in the Secret Department of the Secretariat.

78. On the 1st August Mr. Malet addressed me as follows:

"I am directed by the Right honourable the Governor in Council to acknowledge the receipt of your private note to my address, dated the 22d ultimo, and to refer you to my communication on the subject of the 18th idem.

"I am at the same time desired to transmit for your information copy of a report of the Advocate-general, dated 17th ultimo, on your private letter of the 18th idem, together with transcript of a further demi-official from that officer of the 31st ultimo."

79. The

* Amongst the charges made against me in the letter of the 12th January 1849, was one which I have reason to believe excited some notice at Baroda; viz. the charge of ignorance of the records of my office, founded on my employment of Baba Fudkey, when I could no longer trust Nursoo. It was well known in my office that I had very carefully gone over the records in reference to the Fudkey; it was equally well known that the Government, which brought the accusation, had itself cancelled its former prohibition against the employment of that person.

79. The Advocate-general's reports I subjoin :

Report of the Advocate-general, dated 17th July 1850 :

"The papers referred to cannot be legally seized, except under process, if the transactions relate to mere money demands and accounts ; or if any crime is involved by any criminal falsification of accounts, and the like, then under criminal process, or information on oath, laid before a magistrate."

Demi-official from the Advocate-general, dated 31st July 1851 :

"Nothing can be done on this, except in the mode stated in my last communication to you, within the Supreme Court's local jurisdiction."

80. It is peculiarly unfortunate that Mr. Malet was not instructed at once to send me the Advocate-general's first report, instead of informing me that the seizure could not be legally effected—a piece of information which, as I read the Advocate-general's letter, does not appear to me accurately to describe the facts of the case. The Advocate-general had merely said that the papers could only be legally seized on a certain formula : that formula, I think, I could readily have supplied.

81. But when I received the Advocate-general's report, it was too late to rectify the evil arising out of the Chief Secretary's misapprehension ; for there could be no doubt that in the meantime Baba Nafra, informed of my intentions as well by his friends in the Secretariat, as by the traitors in my own office, had written to his agents in Bombay to place the desiderated documents beyond the reach of a police search. And to this subject I referred as follows, on the 16th August, when handing up an anonymous petition, containing further information confirmatory of Joeteshwur's revelations :

"With reference to the subject of my private notes, dated the 13th and 22d ultimo, and of your replies, dated 18th idem and 1st instant, I beg to transmit, for your information, and such notice as it may be deemed worthy of, translation of an anonymous communication received yesterday, which, you will observe, clearly indicates the European mentioned in Joteshwur's second statement, as Creeck Sahib (which I then supposed might stand for 'Creed,' or 'Clerk,' being unable distinctly to make out the name, owing to the faulty pronunciation of the deponent), is a Mr. Craig, which name I see recorded in the calendar as a clerk in the Secret Political Department of the Secretariat, residing at Mazagon.

"From what appears from this document (which, although anonymous, is so far deserving of attention, that it confirms much that is disclosed in Joteshwur's very reluctant testimony, there can be little doubt that Mr. Craig is the party alluded to by the letter as the person who made such infamous use of Mr. Reid's name.

"As Government was debarred by legal forms from adopting, at the time, the steps which I took the liberty to suggest for obtaining the papers left in Bombay by Joteshwur Itcharam, or for tracing the notes said to have been paid by him to Mr. Craig, I fear there is no hope now of satisfactorily proving the transactions ; and I regret that I was not honoured by the communication, in your first letter, of the Advocate-general's opinion forwarded with your second, as I should have done myself the honour to forward such information, on oath, as might yet, perhaps, have enabled you to effect the object. After the further delay, however, of 14 days, which had intervened between your first and second communications, there could be no hope of finding the papers, which will, of course, have been secured long ere this by Baba Nafra's agents, who, it appears from the accompanying revelations, are at work in Bombay to counteract the investigation on which I am engaged."

82. Finding that Government did not seem inclined to take up the matter, and dreading that further misapprehensions in the Secretariat might baffle my inquiries, I determined to prosecute these inquiries without seeking the assistance of Government. And principally through the kind aid of Captain Burr, Paymaster-general at the Presidency, and the head carkoon of his office, I obtained extracts from books of Baba Nafra's Bombay agents, which showed that Joteshwur had really drawn, at the time specified by him, from 19,000 to 20,000 rupees on account of Hurree Bhugtee's firm, several of the items of which corresponded with the sums said to have been given to Mr. Craig for transference to Mr. Reid. Unfortunately, however, as the numbers of the bank-notes in which these sums were paid had not been recorded, no further traces could be obtained.

83. The

83. The facts elicited for me by Captain Barr, I officially communicated to Government on the 7th of September; and I, at the same time, handed up the depositions on oath of certain persons formerly in the confidence of Baba Nafra, confirmatory of the assertion made by Joteshwur, that he had been deputed by Baba Nafra, and at the instigation of Nursoo Punt, to bribe Mr. Reid.*

84. Again, on the 26th September, I forwarded to the Chief Secretary the confession of Ragoobah, a clerk in the Bombay Pay Office, who had offered himself as an accomplice of Joteshwur, in his attempt to bribe Mr. Reid, which threw a little more light on the subject.

85. Again, on the 11th of October, I transmitted to the Chief Secretary, in original, a letter addressed by Ragoobah to Captain Barr, implicating Mr. Cole, (clerk in the Accountant-general's office) as an accomplice of himself and Joteshwur. In handing up this letter, I suggested that Government "should cause an inquiry to be instituted into the conduct of Mr. Cole, as connected with Baroda affairs, which can have no connexion with his duties as a clerk in the Accountant-general's office."

86. And again, on the 21st October, I addressed the Chief Secretary, recommending, at the instigation of Captain Barr, who entertained strong expectations of obtaining a full disclosure of the whole transaction by this means, that that officer should be empowered to hold out "the offer of pardon to Mr. Cole, provided the information he gives is of such a nature as to lead to the conviction of the principals in those nefarious transactions, a consummation which I trust Government will be enabled to effect through the able assistance of Captain Barr, by the measure I now propose." But all my letters were in vain. Government never honoured me with a single communication in reference to this painful business; whether they took any steps in the matter uncommunicated to myself, is of course a point regarding which I am ignorant. But it would appear that they did not adopt the simple plan recommended by Captain Barr and myself, of admitting Mr. Cole as an approver in the case. At all events, a measure was understood to have been adopted, which satisfied Captain Barr that any further efforts on our part must prove nugatory. I am assured that the Chief Secretary, on leaving Bombay, in October 1850, in ignorance of the relationship subsisting between the parties, placed all the papers relating to Mr. Craig in the hands of Mr. Craig's brother-in-law, Mr. Smith, of the Secretariate. That such was the case I have good reason to believe, and the belief that such was the case, induced Captain Barr to give up the inquiry as thenceforth useless.†

87. I have

* I attached considerable importance to these depositions, inasmuch as they were made at a time when it was generally thought in Baroda that I was in possession of vastly more information than I really had; that I had obtained a clue to the whole of Baba Nafra's proceedings. Such was the conviction of the deponents, and it was evident from their manner, that they simply told the truth, under the belief that falsehood would be useless.

† When, in April 1851, I went to Bombay, my inquiries at the Secretariate led me to the belief, that up to that date no steps had been taken by Government to clear up the painful mysteries to which I had directed its attention.

On the 10th September 1851, while my report was passing through the copyist's hands, Mr. Malet was instructed to write to me as follows:—

"With reference to your letter of the 21st October last, and to former correspondence on the same subject, I am directed by the Right honourable the Governor in Council, to request that you will report the result of the inquiries relative to the payment of sums of money in Bombay by persons deputed from Baroda, and which, in consequence of your having entrusted the same to Captain Barr, Government deemed it advisable to leave in that officer's hands."

And the journals received on that and the next day announced that Mr. Cole's appointment as deputy-coroner only awaited the sanction of Government. The appointment is little more than honorary, the emoluments consisting, I believe, of a fee of ten rupees for every inquest held by the deputy coroner. But it is an honorary appointment; it had just become the stepping-stone to the appointment of coroner, and I knew what, under the circumstances of the case, would be the effect, on Baroda opinion, of Mr. Cole's being nominated to it; I accordingly addressed the following reply to Mr. Malet on the 15th September:—

"With reference to your letter dated 10th instant, requesting me * * * I have the honour to inform you that no information has been received by me, further than has already been communicated to Government.

"With respect to your remark that I entrusted the inquiry to Captain Barr, I beg respectfully to remind you, that I only did so after unsuccessfully seeking assistance from Government.

"Captain Barr never informed me that Government had recognized him as the proper person to conduct an inquiry into the proceedings of Mr. Craig, Mr. Cole, and others, in reference to the payments made at Bombay by persons deputed from Baroda; and he never informed me that he had

87. I have said that Government never honoured me with a single communication in reference to the Craig business. It did indeed acknowledge the letter of the 25th of September, in which I had transmitted Ragobah's confession; but it only acknowledged it to prohibit my examining certain papers calculated to throw light on the foul corruption that prevailed in the native political establishment of Guzerat during the time that the Nagur Gang were in office,—a circumstance which the traitors in my office could not have failed to make known.* Of the decision of Government prohibiting me from examining the papers I do not complain. It was doubtless a wise one. But the fact of its not being accompanied by any allusion to the confession of Ragobah, coupled with the terror displayed by Joteshwur, and the commotion which the apprehended examination of his papers had created amongst influential men in the city, afforded the friends of Nursoo Punt and Baba Nafra plausible arguments wherewith to support their assertions, that Government would frustrate all my efforts to expose and extirpate the system of Khutput, the palmiest days of which were those during which the Nagur tribe were in power.

88. Another argument in aid of the current misrepresentations concerning the motives of Government was supplied by the fact, that though Government, in acknowledging my letter of the 7th September, took no notice of the matter in which Mr. Reid's name had been misused, comprised in Appendix (H.) of the same letter, nor of the depositions which confirmed Joteshwur's statement that he had been sent to Bombay at the instance of Nursoo Punt, it summarily disposed of other documents, sent along with these depositions, criminating Nursoo Punt. These documents formed Appendix (J.) of my letter, No. 207, of the 7th September. They afforded confirmation of all that had been urged in the petition accusing Nursoo Punt of boasting of Mr. Reid's countenance, the ignoring of which till after Government had acquitted Nursoo, I had occasion to allude to in paras. 47 to 69, as being calculated to confirm the prevalent belief in Khutput.

89. In handing them up, I observed, "The Appendix (J.) comprises examination taken in consequence of the author of a petition, purporting to be written by one Venaik Dhondeo Ubhey Shunker, which was transmitted to the Acting Resident with your letter dated 4th January 1849, having come forward to avow the authorship, and to offer to substantiate all that is therein advanced. From the

been authorized to hold out offer of pardon to Mr. Cole, provided the information he gives is of such a nature as to lead to the conviction of the principals in these nefarious transactions; yet such authorization was solicited in my letter of the 21st October 1850, and I expressed a hope that if such an authorization were given to Captain Barr, the truth would be arrived at. And I had, ten days previously, forwarded information to Government which implicated Mr. Cole to the extent of receiving certain rings, which Captain Barr informs me were diamond, and valued at 500 rupees; besides 625 rupees in Captain,* which had been deposed to by Ragobah, clerk in Captain Barr's office.

"If Government did authorize Captain Barr to examine Mr. Cole, I should esteem it a favour to be informed of the circumstance. For the impression left on my mind by that officer's communications is, that no such authorization was conveyed to him. On the contrary, he appeared to me to consider the inquiry one in which Government would not assist; and he announced to me, that he regarded its further prosecution as utterly futile, in consequence of the papers referring to it having been placed in the hands of Mr. Smith, Mr. Craig's brother-in-law."

* In handing up Ragobah's confession, I sought instructions as to the disposal of Joteshwur's papers, which had been seized. A cursory examination of them showed that they were not calculated to throw light on the affair in which Mr. Reid's name had been so painfully taken. But Joteshwur himself told me that they related to the affairs of the former carbarries of the Residency, whose spiritual adviser he had been; and from the intense anxiety he displayed regarding them, I had no doubt they referred to the corrupt transactions which, in former days, tended so powerfully to promote the popular belief in the efficacy of Khutput. Joteshwur's anxiety was so great that he promised, if I would return his papers, to communicate to me all he knew about the Craig business. As its solution was the object I had in view, I sealed up the papers in Joteshwur's presence, and I promised that they should be returned to him unopened, if my subsequent investigations satisfied me that in the depositions he was about to give, he told the truth, the whole truth, and nothing but the truth.

This condition he did not fulfil; and in failing to fulfil it, he had forfeited all claims to have his papers returned unopened. All these circumstances I mentioned to Government, and, in reply, I received the following communication, dated 5th November:—

"I am directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 26th of September last, with enclosures, and to inform you, that if any of the papers therein referred to relate to charges which you are now investigating, or establish fraud or corruption against any person now in the service of Government, they may be made use of by you, but otherwise they should be returned to the person from whom they were taken."

Government had been apprized that the papers did not relate to persons then in the service of Government, or any charges then investigating.

the circumstances of this person, Jey Row Hybut Row, having appended a fictitious name to his petition, bearing a notoriously bad character, and even avowing enmity to the native agent, I should not have regarded the representations in his petition as worthy of a moment's consideration, had they not been borne out to a considerable extent by the evidence of the four persons who were present on the occasion of the dispute therein referred to, with whom it does not appear possible he could have collusion, and had I not other causes for believing that most of what he has since advanced is susceptible of proof."

90. And the reply of Government was as follows, dated 5th November: "I am directed to acknowledge the receipt of your letter, No. 207 B., dated the 7th September last, with enclosures, forwarding translations of the depositions taken before you, of Jey Row Hybut Row and others, with respect to the conduct of your late native agent, and to inform you that the Right honourable the Governor in Council deems it unnecessary to take any further steps in the matter."

91. And in making known this reply to Nursoo Punt, to Baba Nafra, and the other dealers in corruption, the traitors in my office doubtless reported with triumph, that while the only notice taken of my letter, 207 B., was an indirect prohibition against prolonging my investigation into Nursoo Punt's conduct, no answer was afforded to, not even a simple acknowledgment given of, my letter 207 A. of the same date, in the accompaniments to which I had respectfully protested against the arguments, on the strength of which Government had, on the 12th January 1849, honourably acquitted Nursoo Punt of the charges preferred against him, censured myself for preferring them; and the man in whom I had officially recorded my want of confidence, to continue to occupy the most confidential post in my establishment.

92. Government did not assign any reason for so summarily disposing of the Appendix (J.) of my letter of the 7th September 1850. But I am inclined to think that an idea of collusion was suggested by the similarity of the depositions of those who declared they had heard Nursoo Punt speak, as was alleged in the petitions above referred to. Had this reason been assigned, I should have respectfully reminded Government that the men deposed to one single fact, and that their depositions were all taken down by the same clerk, circumstances fully accounting for a similarity of language. I should have reminded Government that the depositions did but confirm a petition which had been sent to it in November 1848, at a time when there was little prospect of the villainies of Baba Nafra, in respect of Joitabae, being brought to light; at a time long antecedent to Mr. Reid's name appearing on the records in connexion with that of Nursoo; at a time when, as his silence on the subject proved, the petitioner was ignorant of the mission of Joteshwur to Bombay for the purpose of bribing Mr. Reid, and ignorant of Baba Nafra's private letters to that gentleman.* I should have been able to point out features in certain of the depositions which were difficult to reconcile with the hypothesis of collusion. I should have deferentially observed that the depositions contained in the unnoticed Appendix (H.) of the same letter, referring to Nursoo Punt's complicity with Baba Nafra in the Craig affair, bore no trace of having been made in collusion with the men whose depositions were given in Appendix (J.); I should also have reminded the Government that I had professed to have other causes for believing that most of what "the petitioner had since advanced was susceptible of proof."

93. These causes I should have stated in my letter of the 7th September 1850, had it for a moment occurred to me that Government would consider my despatches insufficient justification for itself instituting, on the spot, and while yet there was a chance of the truth being discovered, a rigorous inquiry into a matter so painfully connected with one of its own members, and with the late native agent. Such an inquiry was all I wanted; and actuated by motives of delicacy, I had abstained from saying more than I thought was necessary to induce it.

* The petition was sent to Government six weeks prior to the receipt by Nursoo of the "Maurrice" letter, which he displayed in proof of the assertions made by him as to the protection he and Baba Nafra enjoyed through Mr. Reid; and it reached Baroda, for report by Captain French, two days after Nursoo had received and exhibited the "Maurrice" letter.

Section IV.

THE circumstances detailed in the foregoing sections made me painfully sensible that while the Bombay Government persevered in the policy it had adopted in reference to Baroda matters, it would be impossible for myself or my successors to do justice to the interests confided to us.

Letter dated 10
April 1851, No. 61.

2. I accordingly, early in April 1851, transmitted to Government "a statement of facts relating to Nursoo Punt * * * illustrative of that individual's character, and of the part taken by him in strengthening the popular belief in the corruptibility of high officials in general, and of Mr. Reid, late Member of Council, in particular." I was in hopes that the facts thus stated might induce Government to render me in future that aid and countenance which had hitherto been withheld; and I was resolved, should such not be the effect of my statement, to found on it an appeal to the Honourable the Court of Directors.

3. The "statement of facts" differed in but very few respects from the foregoing section; the greater portion of it was almost verbatim what is recorded in that section.

4. I subjoin the concluding portion of my statement.

"When due weight is given to the cumulative effect of the various facts recited in the foregoing pages, it will, I think, be conceded by the Right honourable the Governor in Council, not only that Nursoo Punt has prostituted the name of Mr. Reid, but that the votaries of 'Khutput' in Baroda have plausible arguments with which to justify their belief, that that gentleman was improperly connected with Nursoo Punt, and his wealthy relative Baba Nafra."

"And when to the facts recited is added the conduct of Nursoo, in the case of Joitabae Settanee, conduct which shows that my first suspicions were correct and that from first to last he was in collusion with Baba Nafra, I think I have said enough to show that the late native agent has not only forfeited all claims to the consideration of Government on account of former service, but that he has richly merited the severest punishment in the power of Government to inflict; and that any clemency shown to him will be regarded by the natives of Baroda as additional and conclusive proof that the reputation of Mr. Reid and others is so completely at his mercy, that he does actually enjoy the impunity he was wont to boast."*

Appendix (B.)
* Transferred as
Appendix (B.) of
the present report.
—J. O.

"Not as necessary to establish any of these points, but as illustrative of the character of the man, I beg to refer to Appendix (A.)^a of this Report, in which there is, I think, evidence morally conclusive of the act, that he did receive at least one bribe of 20,000 rupees from Baba Nafra; and I would press on the consideration of Government whether it would not be supremely absurd to suppose that Nursoo was not a participator, to a much more considerable extent, in the four lacks of the funds of Hurree Bhugtee,^b which Baba Nafra had appropriated and scattered as secret service money during the last four years, as well as in the jewels abstracted from the treasury of the firm,^c many of which popular opinion refers to the possession of Nursoo's Presidency friends. That Nursoo Punt did participate in the property abstracted from the bank by its unfaithful steward, has been practically confessed by Baba Nafra himself. That individual, hoping thereby to obtain a diminution of his punishment, offered to reveal the names of several European officials with whom he professed to have made Khutput, and to afford me the most conclusive evidence of their guilt, provided I would

^b As proved by
the books.

^c Supposed to an
enormous value, a
matter now under
consideration.

* My report on the case of Joitabae, I am aware, does not display that calmness which is looked for from a judge on the bench. I admit that in it I freely expressed my sympathy with the unhappy lady, whose persecutions Government had been misled into sanctioning, and indignation against Joitabae's persecutor, a man of whose unprincipled character Government had long been aware, but who had succeeded in impressing on the minds of the people of Baroda, that so long as he had gold to dispense he would always find patrons and advocates in the Council and in the Secretariate of Bombay. And in perusing and judging of that report, the Honourable Court, to whom I presume it will be sent, will, I trust, bear in mind that a series of events had occurred which impressed the corruptionists of Baroda with the feeling, that in their unceasing efforts to prevent Baba Nafra being brought to justice, they were acquitting themselves in a manner that would be not altogether displeasing to the Bombay Government.

I would allow him to keep back the papers which showed his transactions with other European officials, and with his relatives, Nursoo and Gunnesh Punt. His overtures were rejected, and are not likely to be repeated, as the encouraging accounts received from his Bombay correspondents lead him to believe that some excuse will be found for ordering his release, not perhaps immediately, but so soon as sickness or any unforeseen occurrence shall remove me from Baroda."

"For the length of this report I deem no apology necessary. Ever since I perused the elaborate despatch in which Government acquitted Nursoo Punt of the charges I preferred against him in 1848, I have felt it to be my duty, a duty to Government, to myself, and to those whose cause I plead, to endeavour to prove every assertion I make; to anticipate every objection which I think can possibly occur to the members of Government, and to leave as little room as possible for assumption and conjecture."

"For the want of more direct and copious proofs of the guilt of Nursoo Punt, I have to plead as my apology the all but insuperable difficulties I have had to encounter in my various investigations. These difficulties arise in part from the fact, that the leading men in the city and in the Durbar, are all more or less criminally connected with Baba Nafra and his kinsman Nursoo Punt, and in part from the fact, that all are more or less interested in perpetuating the system of Khutput, which it has been the object of my investigations to upset. But the principal source of the difficulties I have had to overcome is the conviction, deeply rooted in the minds of all, that I am working against Government, or rather, that Government is working against me."

"In the foregoing pages I have said enough to show that the natives of Baroda have very plausible arguments to assign in behalf of this belief. But in the foregoing pages I have not enunciated all the plausible arguments at their command, as will be seen by a reference to one or two of my despatches, not alluded to in the previous portion of this statement."

"Thus, on the 22d of June 1850, I reported on the case of Venaik Moreshwur Fudkey, whom I pronounced to have been victimized in consequence of the valuable aid rendered by him to British officers in exposing the corruptions of the Nagur gang, and those with whom Nursoo Punt had been in collusion. I showed that he had not forfeited his claim to be considered a British subject, as Captain French has erroneously asserted, and attempted to prove by applying to him a quotation from a letter of Mr. Willoughby's in reference to a very different individual. I showed that his victimization had been promoted by Captain French, whom I proved to have been played upon by Nursoo Punt; and I begged permission to be allowed to investigate the Fudkey's claims. But the only reply vouchsafed to me was a curt intimation that 'his Lordship in Council sees no reason whatever for your [my] interference between that individual and his Highness the Guicowar.' I need hardly say that this reply afforded a plausible argument to Nursoo's friends wherewith to substantiate their boasts of improper influence at the Residency, when addressing men who well knew their villany, and well knew how the Fudkey had been victimized by them."

"Then, again, on the 30th July 1850, I addressed a report to Government, in which I proved at some length the fraud committed by the firm of Hurree Bhugtee in the Govind Row Guicowar business, but which the Government has in its despatch passed over in perfect silence; and in doing so, I again reiterated my request that the guarantee should be cancelled. To this letter Government gave me no reply till the 2d of January 1851, when I was informed that 'the decision of Government in this case will be deferred, pending the receipt of your [my] report regarding the conduct of Baba Nafra, the managing goomashta of that firm.'

"The Baroda traders in corruption know perfectly well that the two cases had no connexion; that the fraud was a crime perpetrated by the Baba as official representative of the firm, for which the firm were responsible, while the charges against the Baba, my report regarding which was looked for, were charges against him, as an individual, of having foully conspired against the reputation and happiness of one of the proprietresses of the bank, the wealth of which he was squandering. Had Government taken advantage of my letter to cancel the guarantee, and to express themselves strongly on the subject; and had they taken similar advantage of my letter of the 11th July 1850, which convicted Baba Nafra of having offered a bribe of 20,000 rupees to my new native agent,

with a view to secure his services during the then pending Joitabae investigation, my difficulties would have been diminished, for some slight shock would have been given to the belief in Khutput. But Government abstained from giving me the slightest token of its countenance; and this, coupled with its subsequent proceedings in the Craig case, and with the other incidents previously adverted to, tended powerfully to rivet the belief so industriously inculcated by the friends of corruption, that my investigations were a source of displeasure and alarm to the Bombay Government.

"I shall only mention one more illustration of the manner in which my difficulties were augmented by the proceedings of Government. I alluded to the case of Mr. Andrews. That gentleman not only gratuitously insulted me, and persisted in so doing after I had explained the unreasonableness of his conduct, but he persisted in presenting the remarkable spectacle of a British judge urging the most frivolous pleas in behalf of public servants suspected of corrupt practices, and, not satisfied with this, he adopted the unprecedented plan of detaching the Sheristedar of his court from his legitimate duties and sphere of action, and sent him to Baroda to hold an independent investigation. This man not only spoke in a most insulting strain respecting myself and the Guicowar, but he intimidated his Highness's subjects by threats to drag them into Mr. Andrews's court at Surat. He proclaimed that a commission would be sent from Bombay to upset all my decisions, and he compassed a conspiracy against my native agent and myself; and further, on his return to Surat, he indulged in misrepresentations, the utter falsehood of which was proved by the declarations of the Durbar, my native agent, Mr. Battye, and myself.*

"In reporting these circumstances to Government on the 16th of December 1850, I begged that, besides the infliction of some punishment on the Sheristedar, Government would do something to uphold my authority and official status, which Mr. Andrews and his Sheristedar had brought into contempt by emphatically condemning the mission of the Sheristedar, and making him apologize to his Highness and myself. But to this day (6 April 1851) Government have taken not the slightest notice of my request, though I learn that Mr. Andrews' reply to my allegations was in their possession before the end of February. The Honourable Board have doubtless good and satisfactory reasons for their silence, but as none such are apparent to the public of Baroda, that silence is attributed by the traders in corruption as indicating a determination on the part of Government to withhold from me all aid and countenance. For the Sheristedar's mission and conduct must appear to them matters not requiring for their adjudication the previous decision of Government on the complaint I made against Mr. Andrews."

"In conclusion, I have only to express the deep pain which it has cost me to pen the foregoing remarks, knowing, as I do, the personal worth of the gentlemen whose proceedings I have had to notice, their stern sense of justice, and their inflexible incorruptibility. Every passage in their conduct is, I am certain, susceptible of the most satisfactory explanation, and was inspired by the highest and purest motives; but as, in spite of all this, their proceedings have been misunderstood and misrepresented, and as these misunderstandings and misrepresentations are productive of the saddest consequences, I am sure Government will agree with me that I should have signally failed in my duty had I not spoken as undisguisedly as I have; and I trust that Government will not, as in 1838, consider itself above and pronounce itself indifferent to public opinion. Such was the purport of their reply^a to a letter in which, 12 years ago, I spoke as follows:

"The character of Government I am now called upon, by a sense of duty and honour, distinctly to declare to you is very seriously and generally called in question by the natives in this country, in consequence of the misinterpretation to

^a Letter dated
11 October 1838.
^b Letter dated
9 April 1838.

* The object of the conspiracy was, so soon as I should leave Baroda, or on the arrival of the predicted Commissioner, to bring a multiplicity of witnesses to swear that I had accepted a bribe from Joitabae, and that I had suborned, intimidated, or cajoled all those who had given me ante Khutput evidence, into tendering the depositions I had obtained from them. My peons and carkoons were to be adduced in support of these statements; a body of men with whose long-established gains I had so inconveniently interfered, and whom I had prohibited from receiving even the customary presents.

to which the late acts of Government, connected with the prosecution of the Political Commissioners' establishment, both at Ahmedabad and Baroda, are liable, misrepresented, as they doubtless have been, by the accused, whose interest it is to deter the timid from coming forward against them, by encouraging an impression that there is a leaning in their favour on the part of Government.

"What I said in 1838 it is my painful duty to reiterate in 1851, and I beg most respectfully but most earnestly to repeat at the present day the request then preferred, that 'the opportunity should be taken for distinctly expressing its most unqualified disapprobation of, and determination to uproot, the system of bribery and corruption which has so long pervaded the native establishments in the political departments throughout Goozerat, by the punishment of all who, as in this instance, participated in such iniquities, or assisted in screening* the offenders.'"

5. In the postscript I added, that since the statement had been prepared, I had received evidence which I believed would convict Nursoo Punt of having received from Baba Nafra a bribe of 28,070 rupees, for aiding him in his nefarious conspiracy against Joitabae Settane.

*Vide Appendix
(B.)*

6. The statement I forwarded with the subjoined transmitting letter:—

"On the 31st ultimo I had the honour to transmit to you a report on the case of Joitabae Settane, second widow of the late Bechur Samuldass of Baroda.

"From that report it will be evident to Government that the injustice that unfortunate lady had so long suffered could not have been perpetrated without detection for so long a period through the belief in Khatput, so prevalent amongst the natives of Baroda, a belief which alone could have led the actors in that iniquity to hope for impunity, and have induced those who otherwise might have informed against Baba Nafra, to suppose that the wicked and wealthy man, whom I have now proved to have heartlessly conspired against and persecuted the widow of his late master, would escape unpunished, and still have means to make them feel the effect of his enmity.

"In my report I further endeavoured to show that the protracted sufferings of Joitabae were primarily due to the malign influence of Nursoo Punt, and that but for this corrupt man's complicity with Baba Nafra, the persecution of Joitabae, unopposed, unredressed, uninvestigated, would have been arrested at an early stage, and much of the scandal which has arisen thereby prevented.

"I do not apprehend that I shall be accused by Government of having in this instance lightly or recklessly assailed the character of Nursoo Punt; on the contrary, I anticipate that Government will mark the displeasure with which they view that man's conduct, by ordering his dismissal from the office of trust he now holds; and the object of this letter is to entreat the Honourable Board not to order his dismissal or accept his resignation, and thereby place him in a position which they might possibly regard as precluding his being visited with any further punishment, till they have read the accompanying 'statement of facts relating to Nursoo Punt.'

"That he merits some very severe punishment is, I think, established in the accompanying statement, and I should fail in my duty to Government did I not unhesitatingly declare, that unless they visit Nursoo Punt's conduct with some very severe and striking punishment, it is in vain to hope that the belief in 'Khatput' will be shaken. Should Government, out of consideration for the man's age and length of service, allow him to escape with comparative impunity, their benevolent motives will be misunderstood, their acts will be misrepresented, the friends of corruption and those who live by it will be elated, and vain will be my efforts to trace out and expose their misdeeds.

"In my report on the case of Joitabae Settane, I hinted that a general impression prevailed amongst the people of Baroda that the difference of the treatment received at the hands of Government by that lady, as compared with the treatment experienced by her persecutor Baba Nafra, was traceable not only to the present pecuniary resources of that bad man, but to past events and the hold

* In the cases referred to in the present statement, the screeners and confederates were identical. All the confederates were engaged either in screening Baba Nafra, or in plundering him under the plea of obtaining for him the corrupt alliance of English gentlemen.

hold which these give him over high Government officials. I beg now more explicitly to state that, in one of my interviews with the minister, that individual made a powerful attempt to dissuade me from prosecuting my inquiries, by suggesting that I did not know the extent of the disclosures that would be made if I succeeded in my efforts. It is the general belief that Nursoo Punt has as many reputations at his mercy as Baba Nafra; and that any clemency shown to the former arises from as impure motives as those on which the friends of the latter rely for the mitigation of his punishment.

"A perusal of the accompanying statement must, I think, satisfy the Right honourable the Governor in Council, that the natives of Baroda firmly believe in the efficacy of Khutput, and personally ignorant of, and unable to appreciate the high moral character of European officials, have had strong inducements to believe that they are open to corrupt influences, and no repudiation on my part, unsupported by the acts of Government, will persuade them that they lie under a gross and dishonouring delusion. There is but one means by which they may be undeceived, and that is, by the infliction of the most severe punishment on Nursoo Punt, the man through whose means Mr. Reid's name has been so foully abused.

"Far be it from me to recommend that Nursoo Punt should be made a sacrificial offering for cleansing away the stain of those sins which have been so falsely attributed to Mr. Reid; far be it from me to recommend that one iota of undue severity be added to his punishment. But I do implore Government to inflict on him the very highest punishment that they think his conduct merits, without reference to his age or previous services. Age is but an aggravation of crime like his, and former services are neutralized and their claims cancelled, when he who rendered them turns traitor to those he pretends to serve, and brings scandal on their names.

"It, of course, rests with Government to determine what punishment will be adequate to meet the requirements of Nursoo Punt's case, but I would beg to suggest that he be dismissed with ignominy from office; that he be proclaimed unworthy to serve Government; that his pension be forfeited; and that the village which had been granted to him for three lives be resumed, and given to some faithful servant of long standing."

7. The statement was despatched on the 10th April, and on the day following I had occasion to address Government in reference to four of the native subordinates of my office, whom I felt it my duty to suspend. In that letter I thus expressed myself:—

"My report on the case of Joitabae Settanee, my statement of facts relative to Nursoo Punt, and various documents I have had the honour to transmit during the last 12 months, have made Government aware that one pregnant source of embarrassment to myself, and of detriment to the interests of justice, is the complicity of members of my office establishment with those very men whose misdeeds it has been their duty to aid me in unravelling and exposing.

"In September 1848 I illustrated that complicity in the person of Nursoo Punt, my native agent. Not anticipating that Government would form so low an estimate of my judgment, and of my moral perceptions, as to believe me capable of lightly, or on insufficient grounds, assailing the reputation of a native servant, and not desiring that Government should inflict on Nursoo Punt any severer punishment than a censure, I did not think it necessary to enter into a legal proof of my assertions. I felt certain I should receive the sympathy of Government, and all the aid and countenance derivable from a strong expression of their displeasure with the conduct of my native agent.

"But I was disappointed. Government not only thought me capable of assailing the character of a native servant on insufficient grounds, but officially stigmatized me as one who had done so; and instead of censuring the man in whom I had reported I could no longer place confidence, they invited him to remain in the highest and most confidential post in my native office establishment.

"Their invitation, which, as I have already shown, was attributed to the corrupt agency of a member of Council, was accepted; and my report on the case of Joitabae Settanee has exhibited to Government the humiliating results of that invitation. It resulted in the success of a foul and heartless conspiracy against a widow entitled to British protection, and it brought much obloquy and scandal on the British name.

"Having

" Having proved this ; having shown that the man whom the Government pronounced ' a faithful servant of Government,' ' of a long and unblemished service,' was an unprincipled man, the recipient of bribes, the foul libeller of Government, the deceiver of his official superiors, and in collusion with a criminal of stupendous guilt, I trust that Government will not again consider me as indulging in reckless or unfounded accusations, when I beg to be relieved from the presence of other members of my native office establishment, on the ground of their untrustworthiness, even though I cannot afford full legal demonstration of their complicity with the rogues whose villanies it has been my duty to expose, except in the case of the principal, Narranrow, first carcoon in my office. Against this man I have now, I think, sufficient evidence to secure his conviction in any court of law, on the charge of betrayal of confidence, conspiracy, and perjury. As regards merely his collusion with Nursoo Punt, what has been already adduced in my reports, dated 30 July 1850, No. 179; 7 September 1850, No. 207 A.; and 31 March 1851, No. 47, afford, I conceive, tolerably strong presumptions on that score. But though I believe I should be able to afford full legal evidence of his guilt of the crimes above specified, I would rather be spared the sickening and harassing task of tracing his various acts of misconduct. The evidence I have already furnished regarding Nursoo Punt will enable Government to display, in a marked and emphatic manner, their abhorrence of proceedings similar to his. If such a display be made, I should be quite satisfied with the removal of Narrain Row, and those whom I believe to be his tools and confederates.

" Were I consulted in the matter, I should, indeed, and with all the earnestness in my power, recommend their immediate dismissal, *in toto*, from Government service. And in support of that recommendation, I would quote the following reply of the Agra Sudder Adalut, to a report made by J. C. Wilson, Esq., collector and magistrate of Moradabad, as given in one of the North Western Provinces newspapers :—

" (Copy.)

" To J. C. Wilson, Esq., President ; A. W. Begbee, H. Lushington, H. W. Deane, and L. L. Brown, Judges.

" Sir,

" THE Court having now received a copy of your final report to Government, on the result of the investigation into the charges preferred against the native officers of their establishment, desire to avail themselves of this occasion to tender to you their thanks for the vigour, patience, and perseverance with which you have carried out the difficult and delicate duty entrusted to you.

" Facts have been brought to light on the recent trials, which leave no doubt whatever on the minds of the Court, that for many years the most open and flagrant corruption has prevailed throughout all the native departments of the office immediately subordinate to them. Under your exertions, however, the exemplary punishment of some of the offenders has been brought about, whilst in other cases, in which the proof of criminality has been thought to fall short of the required standard, the accused have been dismissed from their situations. The Court fully and cordially contributed to break up a system, in the subversion of which the honour of the British Government, not less than the interests of the public at large, was so deeply concerned.

" (signed) A. B. Pearson,

" Register to the Court of S. D. and N. Adawlut.

" Were I consulted regarding the disposal of Narraen Row and his friends, I would respectfully submit, that if presumptive evidence, ' short of the required standard,' be enough to justify the dismissal of public servants in a revenue office, much less ought to be required for the dismissal of public servants in an office like my own, the duties of which involve not only revenue, but judicial and political matters. In such an office, I would respectfully submit, that mere strong suspicion of a servant's honesty, mere want of confidence in him, on the part of the head of the office, should justify his dismissal, more especially when it is known that the office has for series of years been a den of foul conspiracy

and corruption, and when it is known that the head of the office is a gentleman of 32 years' experience of native character, who has never expressed suspicion which events did not justify and prove to have been well grounded.

"I repeat, that were Government to consult me in the matter, I would urge the dismissal from its service of the individuals to whom I allude. But so anxious am I to be relieved of their presence, that, so long as they are removed, I would not care whether or not they were transferred to another office.

"Summary and complete dismissal, I would however observe, is accordant with the practice of Government, as shown by the removal of Hurrylall from the office of native agent in 1843, 'on the general ground that he does not possess the confidence of Government;' and the measure is in accordance with the sentiments of no less an authority than that of the late Mr. Sutherland, who, filling the office of the Resident after he had served the prescribed period in Council, thus expressed himself in a letter which he addressed to Government on the 14th September 1838: 'I believe, in every part of the world, strong suspicion of infidelity would be sufficient to warrant instant removal of an *employé* in a political situation.'

"The men to whom I allude, and whose removal I crave, are as follows:—

- | | | | | | |
|--------------------|---|---|---|---|--------------|
| 1. Narraen Row | - | - | - | - | 1st Carkoon. |
| 2. Narraen Row, 2d | - | - | - | - | Carkoon. |
| 3. Moroba | - | - | - | - | Ditto. |
| 4. Syed Ubdool | - | - | - | - | Ditto. |

Regarding the first of them, I have already said all that it is necessary to advance in this letter. As regards the rest, I have only to observe that, though I am unable to convict them of complicity with Nursoo Punt, I have quite as strong grounds for my suspicions as those which first led me to conclude, with what painful accuracy Government will know, that Nursoo Punt was in collusion with Baba Nafra. Two of them, I may mention, were appointed through the interest of Nursoo Punt,* and were notoriously his friends and partial confidants; confidants to the extent that suited Nursoo's views; and all of them are the friends and confidants, and I have reason to believe, the confederates, of Narraen Row.

"In conclusion, I beg to refer to my reports on the case of Joitabae Settanee, and to my 'statement of facts relating to Nursoo Punt,' for a full explanation of the causes which prevent my being able to afford full legal evidence of the guilt of the men I denounce. The difficulties I have in doing so, I quote the words of my statement relative to Nursoo Punt, 'arise in part from the fact that the leading men in the city and in the Durbar are all more or less criminally connected with the Baba Nafra and his kinsman Nursoo Punt, and in part from the fact that all are more or less interested in perpetuating the system of khutput, which it has been the object of my investigations to upset. But the principal difficulties I have had to overcome arise from the conviction, deeply rooted in the minds of all, that I am working against Government, or rather that the Government is working against me.' How that conviction has arisen and gained strength, is fully explained in the despatch from which the preceding words are taken.

"Under the circumstances above stated, I cannot permit the duties of my office to be further obstructed, and its secrets betrayed, by the unfaithful carcoons and moonshee who are the subject of this despatch; and accordingly I have suspended them from office from this date, pending the orders of Government."

8. On the 20th April I myself repaired to the residency. The results of my sojourn there are detailed in the following section:—

Section V.

On my arrival in Bombay, I lost no time in putting myself in communication with my friends, and from them I learned that my statement of facts "had made a considerable impression on the authorities." The idea their conversation left on

* One of these, Mowba, Nursoo brought with him from the Deccan, as his cook, and four years ago he got the man appointed to a situation in the office, of 20 rupees *per mensem*.

on my mind was, that Government was now fully alive to the necessity of adopting a policy different from that which it had hitherto pursued in reference to Baroda matters; that its measures in respect of those individuals on whom I had invoked punishment would in no point fall short of my own recommendation; and that henceforth I should never have occasion to complain of feeble or insufficient support in the discharge of my duties. And this idea was confirmed by the kind, and, in a measure, complimentary letter in which Government sanctioned my suspension of four members of my native establishment, alluded to in the foregoing section.* But at the same time it was suggested that it would be agreeable to the Right honourable the Governor in Council if I were to recall and modify my statement and its accompanying letter; and the idea was left on my mind that unless I did so, I should, as it were, compel the Government to assume, in self-defence, an attitude of antagonism.

2. All I sought, all that I had ever sought, was to apprise Government of the extent to which the belief in khutput existed at Baroda, and to induce it to adopt measures by which that belief might be crushed and uprooted. This I had endeavoured to do, by proving to it that its recent acts had powerfully tended to confirm the belief in khutput. My statement had been read by those to whom I had sought to carry conviction, and my object, I was led to believe, had been effected. There seemed to me to be no longer any necessity for requesting that my enumeration of the various misconstrued acts of the local Government should be submitted in appeal to the Court of Directors; and I therefore expressed my perfect readiness to withdraw every statement or expression that might be regarded in the slightest degree as appearing to arraign the proceedings of my superiors.

3. I accordingly sought and obtained an interview with Lord Falkland, partly with a view of intimating my readiness to modify my report, and partly with the object of reminding his Lordship that the insults to his Highness the Guicowar and myself, involved in the proceedings of Mr. Andrews' sherishtadar, had not yet been atoned for. With unfeigned sincerity I assured his Lordship that nothing was further from my intention than to treat himself or his Government with disrespect; and I expressed my desire to erase from my statement, and its transmitting letter, every passage that might be deemed calculated to give offence. His Lordship very graciously intimated his approval of my resolution, and expressed his hope that the Baroda difficulties would, ere long, be settled to the satisfaction of all parties, in a manner which satisfied me that the expectations which had induced me to proffer a modification of my statement would be speedily fulfilled.

4. His Lordship further gave me a distinct promise that a befitting apology should be made to the Guicowar, on account of the conduct of Mr. Andrews' sheristadar; a promise which he next day repeated to his Highness's Bombay vukeel.

5. About a week subsequent to this interview (which took place on the 29th of April), my "statement of facts" was returned to me by the Chief Secretary, and I curtailed and modified it to an extent which could only be judged of by a comparison of the document as it originally appeared with the document as it now lies in the Secretariat. I struck out the entire narrative of the proceedings of Government in reference to the matters in which Mr. Reid's name had been mixed up with that of Mr. Craig, and which, with no intention of giving offence, I had designated the Reid-Craig business. I otherwise subdued the entire tone of my statement, and I removed from the title of the statement all allusion to the popular belief in "the corruptibility of Mr. Reid, late member of Council, in particular."

6. It was from no apprehension of the consequences to myself personally that I modified my statements. I was conscious that what I had advanced was irrefragable.

* On the 29th of April Government thus replied to the letter, in which, on the 10th of April, I had intimated the suspension of these four men:—"In reply, I am directed to inform you, that giving every weight to the opinions expressed, as well as to the sentiments embodied in your present letter, Government, pending consideration of the case, sees no reason to disapprove a step of this kind, taken on what is deemed very sufficient grounds, by one of the highest of its diplomatic officers."

fragable. I knew that though much of what I had felt it my duty to commit to paper might be distasteful to Government, I had done my utmost to acquit myself of what I had felt to be an imperative duty in a respectful manner; and I was convinced that if, in consequence of the unsuccessful efforts I had previously made to secure the aid of Government, I had unwillingly expressed myself more strongly than became an officer in my position, due consideration would be had to the peculiar and exciting circumstances under which my "statement" had been written. But even had I known that instant dismissal would have rewarded my recusancy, I should respectfully, but emphatically, have refused to consent to any modification of my despatch which at all weakened its force as an exposition of the real state of matters, had I not felt confident that Government had resolved on a thorough and immediate change of policy in reference to Baroda affairs.

7. I have already stated, that about a week after my interview with the Governor, my statement and letter were returned to me by the Chief Secretary, and that I speedily returned them to the Secretariate in their curtailed and modified form.

8. On the 12th of May, I received a letter from the Chief Secretary, requesting me to "furnish drafts of the several charges which you (I) conceive could be substantiated against Nursoo Punt, should Government decide that it would be expedient to bring that individual to trial before a commission, under Act XXXVII. of 1850."

9. I was not prepared for such a letter.

10. I had, I conceived, adduced an amount of moral evidence, the cumulative effect of which could leave no doubt of Nursoo Punt's excessive guiltiness on the mind of any reasonable being,* and I believed that I had demonstrated the absolute necessity, on public grounds, of inflicting a severe punishment on that individual. It appeared to me that Government could not fail to be well aware that the moral effect of any penal measures it might adopt, would depend on the promptitude with which they were carried out. I had recommended a punishment which, if promptly administered, would have as nearly met the exigencies of the case as was possible after all that had occurred; and that punishment Government had it in its power to inflict, without bringing the man to a formal trial before a commissioner.

11. As the past history of the political establishment of this residency proved, or, to the native public, must have appeared to prove, it required no such trial to justify Government in dismissing Nursoo Punt its service, and proclaiming him a rogue, if, after studying my reports and calling on him for such defence as he was able to tender, it was satisfied of his guilt; and if Government was not satisfied of his guilt, I could not conceive what beneficial object could be attained by sending me to unfold, before a legal tribunal, what my superiors regarded as insufficient evidence, without putting me on my guard by warning me that it was considered insufficient, and should be amplified and amended; for, if weak points did exist, at all events enough had been proved to show that the real interests of Government were not to be promoted by a formal acquittal of the man, founded on the adduction of legally imperfect evidence against him, in a court hampered by Adawlut rules and forms.

12. But I felt satisfied that the cumulative moral force of my various reports would have sustained Government in dismissing him from the service, and
proclaiming

Appendix (B.)

* An Appendix (B.)—I give the evidence transmitted to Government in respect of the two charges of bribe-taking, and in substantiation of the assertion that Nursoo made an improper use of Mr. Reid's name. My Joitabae Report, which doubtless long ere this (October 1850) must have reached the Court, will, I hope, have satisfied that honourable body, that unless the monstrous supposition be entertained that Captain French deliberately deceived Government, Nursoo Punt must have grossly deceived that officer; and that, whatever opinion be entertained of Captain French's conduct, Nursoo did his best to deceive myself, and to withhold from me information regarding the proceedings of his kinsman, Baba Nafra, of which, if he were worth his salt (and his abilities, which have never been called in question, have been highly testified by Government), he could not have failed to be aware of. My reply to the defence of Nursoo Punt, in the Gorajee Pole and Govindrow Guicowar cases, must ere this have been submitted to the Honourable Court, seeing that I requested it might be sent in appeal, if it was not deemed by the local Government to be conclusive.

proclaiming him a rogue. Dismissal from the service, under such circumstances, necessarily implied the forfeiture of his pension, and there could, I fancied, be little difficulty about the resumption of his village, &c.; but even had it been otherwise, summary dismissal, proclamation, and forfeiture of pension, with a public intimation that Government regretted being unable to resume his village, would, in conjunction with decisive measures in reference to the other Baroda cases then pending, have produced infinitely more effect than a punishment ten times more severe, administered after a lapse of time, and when a public trial, entered on under circumstances highly disadvantageous to the prosecution, and hampered by legal forms, had rendered such punishment not longer avoidable.

13. The Act XXXVII. of 1850 appeared to me to be simply permissive, not obligatory, to authorize, not to compel, Government to bring unworthy servants to a public trial; to prescribe the mode of procedure to be followed when a public trial was resolved on, and not by any means to deter political officers from denouncing their subordinates, by compelling them to prove their accusations to the satisfaction of a legal tribunal. The Act simply provides that "whenever the Government shall be of opinion that there are good grounds for making a formal and public inquiry into the truth of imputations of misbehaviour by any person in the service of the Honourable East India Company, not removable from his office without the sanction of the same Government, it shall cause the substance of the imputations to be drawn up into distinct articles of charge, and shall order a formal public inquiry to be made into the truth thereof."

14. This inquiry "may be committed either to the court, board, or other authority to which the person accused is subordinate, or to other person or persons to be especially appointed by the Government Commissioners for the purpose."

15. The Commissioners' penal powers are limited to the punishment of "contempts and obstructions to their proceedings." They cannot award any sentence. It is not even provided that they may recommend one. The Act simply ordains, that after the close of the inquiry, the Commissioners shall forthwith report to Government their proceedings under the commission, and shall send with the record thereof their opinion upon each of the articles of charge separately, with such observations as they think fit on the whole case. The accused is allowed to record as lengthy defences as he chooses; not one word of the prosecutor's replies is allowed to be recorded.

16. It is further prescribed by Act XXXVII. of 1850, that, "when special commissions have been appointed, the Government may also, if it thinks fit, refer the report of the Commissioners to the court, or other authority, to which the person accused is subordinate, for their opinion of the case; and should finally pass such orders thereon as appear just and consistent with their powers in such cases."

17. It was, from the first, competent for Government, acting on my statement, and the evidence adduced in the cases to which it referred, with such explanation as the accused might tender, and such replies as I might submit, to "pass such orders thereon as appears just and consistent with their powers in such cases;" and, after the termination of the Commissioners' labours, they could do no more.

18. It was hardly to be expected that a commission would, even under favourable circumstances, elicit many more proofs of Nursoo's guilt than those which I had amassed in the course of my protracted inquiries into the corruptions of Baroda; still less was this to be looked for, when it was supposed by those amongst whom the inquiry was to be instituted, that the commission was intended, not to promote, but to frustrate, the ends of justice.

19. By some extraordinary and unexpected conjuncture, such a result might possibly occur; but how it could have been looked for as a probable occurrence, I was utterly unable to understand. I had, in my statement, thus expressed myself:—

"For the want of more direct and copious proofs of the guilt of Nursoo Punt, I have to plead as my apology the all but insuperable difficulties I have had to encounter in my various investigations. These difficulties arise in part from the fact that the leading men in the city and in the durbar are all, more or less, criminally connected with Baba Nafra and his kinsman Nursoo Punt, and in part from the fact that all are, more or less, interested in perpetuating the system of 'Khutput,' which it has been the object of my investigations to upset. But the principal source of the difficulties I have had to overcome arises from the conviction, deeply rooted in the minds of all, that I am working against Government, or rather, that Government is working against me."

20. And I had, on more than one occasion, alluded to the belief which the friends of Khutput had done their utmost to promote, to the effect that "a commission" was the machinery by which Government had determined to upset my measures, and screen the traders in corruption.

21. In my report on the conduct of Mr. Andrews, transmitted to Government on the 16th of December 1850, I thus alluded to the popular belief that Government, unable to ignore or refute my reports, would avail themselves of a commission as an eligible mode of evading them. Alluding to the Sheristedar whom Mr. Andrews sent to Baroda, I observed:

"If conscious that in his excessive zeal for Mr. Andrews's interests, and those of Keshoorow's father, Nursoo Punt, he gave out that a commission of Mr. Andrews' friends would be sent to Baroda to report on the misunderstanding between that gentleman and myself; and if conscious, further, that he had been concocting a conspiracy against the native agent and myself, to be made available when the predicted (and by him doubtless earnestly desired, as affording scope for further intrigue) commission met; if conscious of all this, and aware that I was on his track, the artifice of the fictitious conspiracy becomes intelligible. That he was engaged in concocting such nefarious schemes,* and that individuals at Baroda, as well as in my own establishment, had been suborned to aid him in his endeavours, is a matter of which I have no doubt. At one time I thought I should have had no difficulty in establishing legal evidence, to the satisfaction of Government; but I have hitherto been disappointed. * * * Who its authors are, I am not in a position at this moment satisfactorily to prove; but a report has been, for months, prevalent in Baroda, that all my efforts to crush the corruption which has for years rendered Baroda infamous, far from meeting with the approbation of the Bombay Government, have been eminently distasteful to that body, and that any inquiries of mine are sure to have a disastrous issue."

22. The idea that a commission would be appointed by Government, not to promote, but to defeat, the ends of justice, became more and more impressed on the minds of the natives of Baroda; and, in my report on the case of Joitabae Settane, I thus adverted to the popular expectation that such a means would be resorted to, and to the aid and encouragement which these expectations afforded to the dealers in corruption:—

"But

* S. O.

Appendix (C.)

* The conspiracy, as has been observed in a note attached to para. 4 of Section IV., was the subornation of evidence on a wholesale,* to prove that I had shared with the Guicowar minister an enormous bribe from Joitabae Settane, and that I had taken most improper means to obtain the anti-Khutput evidence I had collected. At that time the Durbar was as much interested as myself in defeating the Sheristedar's machinations, and their spies were accordingly set on his track. In Appendix (C.) will be found the deposition on oath of the head of his Highness's police. The information it contains was given to me by him *virâ voce* at the time of the occurrence, and on the same day taken down in writing by Mr. Battye. I duly subsequently took the Kutwal's deposition on oath, when I suspended my carcoons, intending to submit it to Government, should that suspension not be sanctioned. The information given to me by Sumbooram (the kutwal, or head of police) was confirmed by information received from other sources, relative to the nightly meetings of the conspirators and the open boastings of the Sheristedar; but I could get no precise or legal evidence on the subject. One of the parties implicated made a partial confession to my native agent, but drew back when about to be brought before myself. One of the Sheristedar's boasts was, that I was only a soldier, and could at any time be removed under plea of military services; and in reminding his auditors that I was only a soldier, he laid emphasis on his declaration that the commission that would be sent to Baroda would be a civil one; implying that I was the object of a class jealousy and dislike.

“But it would be criminal in me to withhold from Government that such is the fact, that, despite the justice and humanity of their motives, the circumstances referred to, operating on the minds of men imbued with a belief in the efficacy of ‘Khutput,’ have tended to confirm the idea that Baba Nafra does exercise mysterious influence at the Presidency, and that his friends stand higher in the good graces of Government than those who have endeavoured to expose his rascalities. Such, then, I repeat, is the case, and so strong is the feeling I have spoken of, that the friends of corruption have given out, and the tale has been believed, much to the frustration of my inquiries on several subjects, that I have incurred the serious displeasure of Government by my crusade against corruption; and that more especially I have awakened the fears of influential parties by my proceedings against Baba Nafra. It has been rumoured that a commission will be sent to Baroda, with a view to encourage those I have discountenanced, and that this commission will bring my authority into contempt, by re-opening many of the questions I have investigated, and by upsetting many of the decisions I have given. Nay, in preparation for the commission, attempts were recently made to suborn evidence to prove that my proceedings against Baba Nafra, in this case, derived their inspiration from an enormous bribe given to me by Joitabae. And it is confidently asserted that, whether or not a commission comes to Baroda, my successor will be a man of a different way of thinking from myself, and that then the parties whom I have exposed will be amply avenged on those who have rendered me assistance; the latter being destined to be made the butts of a persecution like that which rewarded Moreshwur Fudkey for his long and zealous services to Mr. Malet and myself in exposing the corruption of the political departments in Guzerat.”

23. I am not by any means insensible to the justice of hearing every man in his own defence, and had Government authorized me to do so, I should have written out my charges in a manner that would have afforded Nursoo Punt every facility for rendering such explanations and exculpations as he might be in a condition to offer. But the proposed commission appeared to me, when viewed as a sequel to the former proceedings of Government, and in relation to what I knew to be the state of Baroda morals and Baroda feelings, by no means calculated to promote the ends of justice. It would, I feared, after all that had occurred, be regarded by the natives as merely another effort made to screen a great criminal; as the fulfilment of the expectations the traders in corruption had so long held out; as an invitation to perjury addressed by Government to those who had previously given evidence against Nursoo Punt; and I anticipated fresh intrigues and fresh subornation of perjury.

24. I accordingly waited on the Chief Secretary, and reminding him of the distressing cases in the exposure of which we both had been engaged some 13 years before, I asked him if the proposed plan could not be discarded; and I cannot but believe that if that gentleman's advice had been asked for and acted on, no commission would have been issued; for his long experience of Baroda and Baroda corruptionists must have satisfied him that, under existing circumstances, the proposed commission was ill adapted for the vindication of justice.

25. Believing, however, that it would be useless to press its relinquishment, fearing it might be said I shrank from substantiating my charges, and that I might be subjected to censures similar to those passed on me, in my absence, in January 1849, and conscious that (the peculiar circumstances of Baroda being overlooked) the proposed commission had an appearance of fair-play to all parties, I determined to put the best face I could on the matter, and I addressed the following letter to Mr. Malet on the 13th of May:—

“In reply to your communication of yesterday's date, calling upon me, with reference to my letter dated 10th ultimo, to furnish drafts of the several charges which I conceive could be substantiated against Nursoo Punt, should Government decide that it would be expedient to bring that individual to trial before a commission, under Act XXXVII. of 1850, I have the honour to state that the charges which I consider could at once be substantiated are those of bribery, referred to in Appendix (A.), and the postscript of the ‘Statement of Facts’ which accompanied the letter of the 10th ultimo.”

I would not wish, however, in the absence of the exact proofs, to pledge myself to any particular form of charges, but I think that they might be drawn up to the following purport:—

“ First, of having, on or about the 12th of May 1845, received from Baba Nafra, managing goomashta of the firm of Hurree Bhugtee, the sum of 20,000 rupees, as a bribe, given with the view, probably, to secure his (Nursoo Punt's) services on behalf of the firm, in the case then pending before Government, of its dispute with the sons of the late Gungadhur Shastree.

“ Second, of having, on or about the 19th or 20th of October 1848, received from Baba Nafra, as a bribe, the sum of 28,070 rupees, in part payment of a sum of 78,070 rupees on account of the dispute about the boy (Joitabhaee's child).

“ I believe I can produce sufficient evidence before any court to ensure Nursoo Punt's judicial conviction on the above charges, but I beg respectfully to express my earnest hope that due notice will in the meantime, and as soon as possible, be taken of Nursoo Punt's dishonest conduct in respect to the other cases which I have lately had occasion to place before Government; wherein, though no specific charges are made by me as to the particular nature of the inducements under which he was led to prostitute his position and influence in behalf of Baba Nafra and others, it is fully established by the evidence submitted, that he did so betray his trust, while at the head of the native political establishment of the Baroda Residency; that in the Gorajee Pole and Govind Row Guicowar cases, he withheld information from his superiors, and suppressed documents in his possession, which would at once have exposed certain fraudulent transactions that could not have been attempted but with his connivance; that in the Joitabhaee case, he misled his superiors by false information and misrepresentation of facts; that he instigated Baba Nafra to depute an agent to Bombay for bribery purposes; that he made a shameful use of the name of a member of Government, and promoted the belief at Baroda that he enjoyed the support of that gentleman through corrupt influences.

“ These established facts will warrant, I presume, the immediate dismissal of Nursoo Punt from the service of Government, irrespective of the bribery charges above specified, for which, if substantiated, further punishment will be due; pending his trial on which I beg leave most respectfully to suggest, that he be at once placed under arrest, or heavy security taken from him to attend to answer those charges when and where Government may direct. The Right honourable the Governor in Council will be aware, from the tenor of my former reports, that I consider such measures absolutely necessary to aid me in neutralizing the corruption and intrigue which will be set on foot immediately the intention of Government to appoint a commission is known.”

26. After what has been said in the previous sections, and in the preceding portion of the present section, it will, I think, be allowed that I made no extravagant request in soliciting that Government should, before bringing Nursoo Punt before a commission, take some steps to disabuse the public mind of the popular belief in his improper influence at the Presidency, and of “ the conviction, deeply rooted in the minds of all, that I am working against Government, or rather, that Government is working against me.”

27. And the judiciousness of my recommendation that Nursoo Punt should be placed under arrest, will, I think, be admitted when the cases of Brijlall and Motee Purshotum, alluded to in Section VII. and VIII., Part I., are called to mind.* I had informed Government that the doctrine of Khutput was more deeply rooted in the public mind of Baroda in 1851 than it had been in 1838, and

* I beg to refer to my sections on Motee Lall and Brijlall, where it will be seen that Mr. Sutherland and Mr. Malet deemed the confinement of the accused indispensable for the elicitation of truth. So fully satisfied were they on this point, that they felt justified in evading for a while the orders of Government for the release of those men; and when these orders became too imperative to be longer disregarded, it was deemed justifiable to give release under assumed pretences. In those days, when the acts of Government were most assuredly not regarded by the natives as indicating any great determination to uproot corruption, Government, though it disallowed imprisonment, sanctioned detention in camp, and the humiliation (for security against tampering it was not) of being subject to the surveillance of peons. But, as will be hereafter seen, Nursoo was treated in a far different manner; not only was he sent to Baroda weeks before trial, and left at large to practise his tricks as he chose, but he was actually provided with Government servants, who were regarded by the people here as honorary attendants; and such, for all practical purposes, they were.

and I am justified in assuming that Mr. Malet, the Chief Secretary of Government in 1851, could hardly have failed to bring to the notice of Government, that the measures I petitioned for were those which in 1838 he and Mr. Sutherland had, in analogous cases, considered indispensable. After what had occurred, I was not sanguine in my expectation that Government would cause Nursoo to be placed under arrest, but I did certainly hope that it would at least mark to the Baroda public its sense of the enormity of the offence with which he was charged, by calling on him to furnish heavy bail.

28. But Government was very far from adopting the measures which I considered "absolutely necessary to aid me in neutralizing the corruption and intrigue which would be set on foot immediately the intention to appoint a commission was known."

29. On the 16th it directed the Chief Secretary to inform me that Mr. Frere had been appointed a Commissioner "for investigating the charges I had preferred against Nursoo Punt," and to ask me whether, if appointed prosecutor in the case, I would act as such under the provisions of Act XXXVII. of 1850. The Chief Secretary was instructed to furnish me with a copy of the Government letter to Mr. Frere, and I was astonished, on perusing that document, to perceive, that instead of adopting the measures which from an intimate knowledge of Baroda, and of the views and feelings of its people, I had pronounced "absolutely necessary" to the attainment of truth, Government had added the cases on which I had craved an early judgment, to those on which I had professed my readiness to prosecute Nursoo Punt. The five following additional charges were prescribed for me to prosecute :—

1. "That in the Joitabae case, he (Nursoo Punt) furnished false information to his official superiors.

2. "That he betrayed his trust as head of the native establishment of the Baroda Residency, by withholding from his superiors information of importance connected with the case of Ghorajee Pole.

3. "That he was guilty of a like betrayal of trust in suppressing information in his possession, bearing on the case of Govind Row Guicowar.

4. "That he instigated Baba Nafra to depute an agent to Bombay for the purpose of bribing certain persons there.

5. "That he made an improper and unauthorised use of the name of a member of Government, and promoted the belief at Baroda that he enjoyed the support of that gentleman through corrupt influences."*

30. As respected the first of these charges, Government was aware from my report on the Joitabae case, that I had no more evidence to afford to a Commissioner than I had detailed in my despatch. That evidence, though morally convincing, was of an inferential character, and derived its cogency from the cumulative force of many trifling but consentaneous inductions. The charge was, from its very nature, unsusceptible of direct proof, and therefore ill suited for investigation by a tribunal hampered by legal formalities. And the value
of

* The Chief Secretary's letter to Mr. Frere, which was sent as an accompaniment to his communication to myself, was calculated to make the Commissioner believe that I had volunteered to establish these charges before his judicial tribunal; and that such was his opinion, was proved by a letter (subjoined), which that gentleman subsequently addressed to myself:—

"I have the honour to request that you will have the articles of charge, list of documents, and witnesses by which the charge is to be sustained, as required by section 10 of Act XXXVI. of 1850, prepared against my arrival, in order that I may commence proceedings with as little delay as possible; and as, under section 20 of that Act, the committee are authorised, if the charges are not sufficiently clear and precise, to require them to be amended, I shall feel obliged by your having them drawn out as distinctly as possible, to prevent any necessity for amendment.

"The charges, as contained in the 3d para. of Mr. Chief Secretary Malet's letter to me, No. 165, dated the 16th ultimo, copy of which was sent to you, are sufficiently distinct to let me know the nature of the duty with which I am charged; but are not sufficiently clear to enable an accused person to defend himself, and do not appear to have been drawn up with that object. I therefore request you will have them drawn out with a view to Nursing Row's being able to defend himself against them; and would particularly notice the five last charges, all of which should respectively contain the information he is accused of having withheld; the false information furnished; the names of the persons to be bribed; and the name of the member of Government unauthorisedly used."

of the indirect evidence by which the charge is supported; could only be fully appreciated by reading over my entire report, with its appendices, extending to some 500 foolscap pages; an infliction few Commissioners could tolerate, and one which, if they tolerated it, could hardly fail to disgust them with the prosecutor and his cause.

31. The tendency of the proceedings of Government had, through a lamentable but not unnatural misconception of the motives which inspired them, been, to impress the natives, those who would be called as witnesses, with the belief that my labours in this case had not met with the approval of Government. The guilt of Baba Nafra, complicity with which was charged on Nursoo Punt, had not yet been affirmed by the Bombay Government. It was known that one of the leading members of the Bombay bar was retained under large fees to conduct appeals in his behalf;* it was whispered that this gentleman was to be, if he had not already been, consulted in the case by Government; confident expectations were held out from Bombay that Baba Nafra would eventually be suffered to escape on some technical or other plea; and well might perjury be looked for under these circumstances, from men whose scruples about false swearing are not of a moral, but of a prudential character.

32. The members of both the Punchayets that had been appointed to investigate the Joitabae case, comprising the most influential nobles and bankers at Baroda, the minister (which is but another name for entire machinery of the Guicowar government), and the rich friends and relations of Baba Nafra, were all interested in frustrating an inquiry into those acts of misconduct committed by Nursoo Punt, for the promotion of Baba Nafra's interests.

33. The less evident Nursoo Punt's guilt was made to appear, the more doubtful my representations regarding him could be rendered; the less likely was my Joitabae report to elicit from Government what I think its revelations demanded; viz., a requisition on his Highness to dismiss his minister, and an order excluding from the residency all those who had conspired with the minister to screen Baba Nafra.

34. It therefore appeared to me of vast importance to the success of that prosecution, which I was ordered to conduct in the name of Government, that some very strong manifestation of the displeasure of Government, at the conduct of the Durbar, and the two Punchayets, should be made prior to Mr. Frere's arrival, with a view to deter them from a repetition of the former disgraceful practices.

35. The charges in reference to the Ghorajee Pole and Govind Row Guicowar cases, like that in respect of the Joitabae case, mainly, if not exclusively, rested on moral, not on legal evidence. And in respect of these cases, Government had, in like manner, perused all that I had to offer on the subject. All that I had ever urged in demonstration of the guilt of Nursoo Punt in these cases, had been elicited from me by the very elaborate defence Government had drawn up in his behalf at a time when I had made no punitive recommendations regarding him; at the time when censuring me in my absence, for having presumed to call his honesty in question, Government had declared that it was unnecessary even to require "his explanation on a single point in these transactions."

36. To that elaborate defence I drew out an equally elaborate reply. My reply, as has been more than once stated in this report, I despatched to Government, on the 7th of September 1850, requesting, that "should neither my present letter nor its accompaniments be deemed of sufficient cogency to effect a radical change in the views of Government * * * both letter and accompaniments may be sent to the Honourable Court of Directors, and by them be considered a respectful appeal, on my part, against the censures passed on me by my own Government,—an appeal extorted from me by a deep sense of the obligations imposed on me as their servant."

37. During

* The money paid and promised to be paid to this gentleman, may possibly hereafter form the subject of a reference to the Honourable Court, owing to the circumstances under which it was given, and the sources from whence it was derived.

37. During the eight months these documents had been in the hands of Government, I had never hinted that I had or was likely to obtain one additional iota of evidence or information relative to the particular charges against Nursoo Punt, which, in September 1850, I attempted to prove had not been invalidated by the elaborate defence of him by Government. The moral effect at Baroda of the silence of Government on the subject of my appeal, can be best appreciated by those who understand the motives which influence Indian witnesses.

38. In illustration of this point, I beg to refer to the long note appended to the 27th para. of sect. III., part II. It is there seen that the Court of Directors did not fail to perceive, that in its minute analysis of my report of September 1848, the Bombay Government had passed over, in perfect silence, the heavy accusation I had brought against the firm of Hurry Bhugtee, of fraudulently substituting one document for another,—a fraud, complicity in which, by not bringing it to my notice, must form a prominent feature in the third of the additional charges on which I was ordered to prosecute Nursoo Punt. It is also seen that the Court was dissatisfied with the reply of the Bombay Government to the comment made on this point of its analysis; and that it was intimated to the Government that, in reporting that “no proofs exist in support of Colonel Outram’s assertions,” it had reported “more than is borne out by the report of Captain French, who merely stated that he was not aware of any grounds beyond those reported by Colonel Outram for supposing, &c., &c., having previously stated that no further steps had been taken to ascertain the true state of the case.” It has further been seen, that the Bombay Government were ordered to reinvestigate the matter; that I furnished them with another report on the 31st July 1850; that my report was unacknowledged till January 1851; and that it was only then acknowledged, to intimate that no notice would be taken of it till Government had considered my report on the Joitabae case, in which, as a firm, the house of Hurree Bhugtee was not implicated, however deeply Baba Nafra was involved.

39. The decision of Government on the substitution charge, was a matter of much anxiety at Baroda, affecting (as by the Court’s orders it did) the permanence of the guarantee. And when it was known that this point would not be discussed by Government till the Joitabae case was decided, and that the Joitabae case would not be decided till after the termination of the Commissioners’ labours, a strong inducement was (unintentionally) held out to the parties interested in maintaining the guarantee, to give evidence hostile to my views regarding the fraud that had been perpetrated, and subversive, therefore, of my charge against Nursoo, of having connived at that fraud by not bringing to my notice the circumstances that indicated it.

40. As regards the charge against Nursoo Punt, of having made an improper use of the name of Mr. Reid, and having instigated an attempt to bribe that gentleman, I had reason to believe that most, if not all, the witnesses previously examined, influenced by Nursoo’s gold, aware of the unsuccess of my attempts to secure the co-operation of Government (a fact now notorious to all Baroda), and impressed with the belief that Mr. Frere’s was the long-predicted commission that was to upset all my anti-Khutput efforts, would perjure themselves; and it appeared to me that it would be necessary to recite in open court all the circumstances (previously detailed) which had tended to impress the minds of the natives with the belief that Nursoo did actually enjoy an undue influence with Mr. Reid, and that, throughout the inquiries that had preceded the trial, Government had been endeavouring to screen both Mr. Reid and Nursoo. Such a course, it appeared to me, would be necessary, as well to establish the credibility of any witnesses who might adhere to their former depositions, as to prove that the original depositions of such witnesses as might forswear themselves, were more trustworthy than those given before the Commission. And yet it required little knowledge of native character to perceive what would be the probable effect of such disclosures on the witnesses, to whom Nursoo would take good care to communicate my representations as a caution to them to beware of giving support to an officer so unfavourably regarded by his Government. For, as has been seen, Government had rendered me no aid in tracing out the connexion of Mr. Craig or Mr. Cole with the attempt to bribe Mr. Reid,

with suggesting which, Nursoo was charged. All the information I possessed was imperfect, and, as Government was aware, had been obtained by myself and my private friends piecemeal, and with the utmost difficulty. Till the Residency correspondents and accomplices of Baba Nafra and Nursoo Punt had been hunted out, and inquisition held on them and their proceedings, it was obvious that I entered on the prosecution at disadvantage. Had all those in the Secretariat who were, on the 3d of January 1849, cognizant of the matters communicated to Captain French on the 4th, been suspended till the mystery of the "Maurice" letter had been fathomed, and had Captain Barr been authorised to hold out to Mr. Cole the alternative of dismissal, or of a full explanation of all the circumstances which had brought him into relationship with Joteshswur, Rugoba, and others, there would probably have been little need of a commission. As it was, while the Maurice letter remained a mystery, there were more than Mr. Craig, Mr. Cole, and Mr. Maurice interested in the unsuccessful issue of my charges; and that they would lay their heads together to suggest to Nursoo a line of defence, was what it did not require a great knowledge of human nature to anticipate.*

41. In respect to the whole of the additional charges, a perusal of the reports on which they are founded will show, that for their full and satisfactory substantiation, my own personal testimony was required. As regarded the Govind Row and Gorajee Pole charges, I was a most essential witness in reference to the dishonest conduct of Nursoo. In the Joitabae charge my evidence was little less important. And in the two charges in reference to Mr. Reid, as well as in the bribery charges, there were many points in which my testimony would have been most desirable, if not absolutely necessary. Yet, by the terms of the Act under which Government asked me to prosecute Nursoo Punt, I was, by becoming prosecutor, disqualified from giving evidence." Had I prosecuted on my own account, I would have been eligible as a witness; prosecuting on behalf of Government, I was ineligible.

* Act XXXVII,
clause 17, of
1850.

42. Such-like were the considerations which presented themselves to me when I read the string of new charges which was sent in lieu of what I had asked for; viz. a condemnation of Nursoo Punt in respect of these very charges,—a condemnation founded on the cumulative force of the reports already in the hands of Government. Still further to dishearten me, I found that Government, instead of placing Nursoo Punt under arrest, had simply caused him to be suspended from office, and had told him "to proceed at once" to Baroda, the very last place in the world he ought, in my opinion, to have been allowed to approach, till the Commissioner was ready to commence his labours. It was the scene of his misdeeds, the abode of his accomplices, where his influence, both in Durbar and city, was as great as that enjoyed by any of his unprincipled predecessors; and where dwelt, and were accessible, the witnesses I should have to produce against him; † and this, too, notwithstanding Mr. Sutherland's and Mr. Malet's strong remonstrances in analogous cases.

43. In another letter, received the same day (16 May), and at the same moment, the Chief Secretary was instructed to inform me to the following effect:—

"The decisions of Government in the several other cases now before it, in which that person (Nursoo Punt) is implicated either directly or indirectly, will not be communicated to you until the result of this commission is known."

44. I trust I shall not be considered to use disrespectful language when I say that I was alike grieved and surprised at these proceedings of Government. They were dissimilar from those I had been led to anticipate when I recalled
and

* *Vide* Appendix (A.) Ere very many months elapse, I hope to be in a position to make revelations that will startle Government and the Court of Directors, regarding the proceedings of persons at the Residency who have been pleased to interest themselves in Baroda politics, and to adopt very questionable modes of obtaining information regarding my doings.

† What instructions may have been sent to Mr. Jenkins I know not, but Mr. Malet's letter, dated 16 May, informed me that "the collector of Ahmedabad has been directed to suspend Nursoo Luxumon from the exercise of all official functions, and to cause him to proceed at once to Baroda, to appear before the commission."

and modified my statement. They closely resembled those measures which 13 years before had been attended with such lamentable consequences, and which have been adverted to in the foregoing sections; and I felt assured that their results would not tend to remove from the British name the odium under which it lay in the Guicowar states. I communicated my views to the Chief Secretary, and I am, I think, entitled to assume, from his experience of the Baroda corruptionists, and his intimate knowledge of the state of feelings and morals at Baroda, that Mr. Malet's views were coincident with my own. But I saw that Government was not now likely to recede from its decision, and I agreed to act as prosecutor, apprehensive that if I did not, Nursoo would be permitted to escape, as Chotumlall, one of the Nagurs employed in Kattywar, had been in 1837, in consequence of Mr. Erskine, the political agent in that province, having neglected to prosecute under similar circumstances. And I well knew how that man's career had brought the British name into disrepute, and how it had been adduced as a proof of the undue favour at the Presidency which he enjoyed through the interest of his relative, Larabaree.

45. I however deemed it my duty to make one effort to induce Government to afford me some slight mark of its countenance and good-will before sending me up to prosecute a man with the prestige then enjoyed by Nursoo, and I sought one more plea for imploring Government to take some steps for publicly evincing its disapprobation of that system, with which, to appearance, unsupported by Government, I had been waging so harassing a warfare; and on the 17th of May I addressed Mr. Malet as follows:—

“With reference to your letter of yesterday's date, No. 168, informing me that the decision of Government in the several other cases now before it, in which Nursoo Punt, my late native agent, is implicated either directly or indirectly, will not be communicated to me until the result of the newly-appointed commission for his trial is known, I beg that you will do me the favour of stating to the Right honourable the Governor in Council, that in the case of the bribe offered to Sooruzram Gungaram by Baba Nafra, Nursoo Punt is not in any way involved; and that, although in the case of the abduction of Joitabae's child, Nursoo Punt is greatly implicated, yet the decision in Baba Nafra's guilt, in that case, is perfectly distinct and unconnected with him. In my complaint against Mr. Andrews, also, Nursoo Punt is not concerned; I therefore trust it is not intended to withhold the decision of Government on those cases, for I beg most respectfully, but earnestly, to state that the silence of Government on these points will not only have the most prejudicial effect on the commissioner's investigation, by strengthening the hands of those who are interested in the continuance of corruption, but will undoubtedly be deemed by the people of Baroda a condemnation of my conduct.

“I beg to be understood as not presuming in any way to dictate to Government the course they are to pursue; but it is my duty, as their representative, to place before them the consequences which will inevitably result from any further delay in disposing of those questions.”

46. The first of the cases referred to in my letter had been before Government for 10 months. The circumstances were these: Soon after his arrival my new native agent apprised me that he had been offered a large bribe by Baba Nafra to bamboozle me in the investigation I was just commencing into the case of Joitabae Settanee, and instructed him to receive the bribe (with witnesses at hand to call forward when it was brought); to arrest the parties who brought it, and to deposit the amount in the Residency treasury. I was surrounded by great difficulties; I was a political officer placed in an anomalous and embarrassing position, and the order I gave was necessitated by the exigencies of the case. No other measure could deter the people of Baroda from attempting the honesty of my new native agent, or convince them that henceforth a tortuous was not the best policy.* I was in hopes that Government would at least have expressed its

* On the 11th of July 1850, in communicating my proceedings to Government, I thus indicated their absolute necessity:—“From a perusal of the statement of the native agent, it will be seen that I was made aware by him, from the first, of the overtures made by the Baba Nafra, who particularly dwelt upon the practice of his predecessors in office, and the secrecy with which similar transactions had heretofore been maintained; and were it not for the peculiar circumstances of the

its satisfaction at the conduct of my native agent ; have authorised me to demand the punishment, by the Durbar, of the parties concerned in the transaction, and have thus afforded me a plea on which to ground my declaration to the corruptionists by whom I was surrounded, that their vile practices were viewed with abhorrence by the British rulers. But no such support was afforded me, and considerable ridicule was cast on myself and my native agent, in consequence of a report current in the city, and supposed to be derived from the Secretariat, that Government had resolved on sending me a letter highly censuring me for having laid a "trap" for Baba Nafra. No such letter was ever sent to me, but that it had been in contemplation to send it, was matter of general belief ; for, on not one, but several occasions, have my first intimations of the proceedings of Government been derived from city reports, founded on the authentic information supplied from Bombay to the corruptionists of the place ; and the latter have implicit faith in the information thus supplied.

47. As respects the case of Mr. Andrews, it was more particularly desirable that Government should express an early and decided opinion ; for, as Government had been informed the report that my anti-khutput measures would be upset by a civilian commission, had originated with the sheristedar whom that gentleman deputed to Baroda to institute inquiries which could only legitimately be instituted by myself, and who had insulted both his Highness the Guicowar and myself. And, as Government had been apprised by me, this sheristedar, the personal friend and associate of Nursoo's son, had, during his stay at Baroda, while ostensibly conducting the inquiry confided to him by Mr. Andrews, been engaged in searching accounts, which, though they had no reference to the subject of Mr. Andrews' investigations, bore on the malpractices of Nursoo, and were obviously examined to enable the sheristedar to find pegs whereon to hang "Adawlut turkut" defences of that individual in respect of his rogueries, one of which I had discovered,* and others which it was expected would be brought to light. I had reported to Government that the sheristedar had taken notes of those accounts (irrelevant to his own inquiry) in English ; a language unknown to any one present at the examination save himself, and that he had destroyed these notes rather than, as my native agent wished, show them to myself. In handing up the case to Government on the 16th of the previous December, I had craved its attention, and I looked for its early consideration ; and I did so on the ground that,

"The course Mr. Andrews has pursued * * * is calculated to give increased strength to the mischievous and dishonouring belief, here so prevalent, that the highest officers of Government are amenable to other influences than the claims of truth and the behests of justice, and calculated moreover to rivet the impression that the authorities desire neither to have the popular belief in the efficacy of khutput eradicated, nor to witness the exposure of those unprincipled individuals, who for their own base and sordid purposes, promote and confirm it."

48. The reply of Mr. Andrews had, I believe, been received in February, and though Government might not have had time to adjudicate between us, I certainly hoped that it would deem itself justified in publicly censuring the conduct of Mr. Andrews' sheristedar, about which no doubt could well exist. His Lordship the Governor had distinctly promised that an apology should be made to the Guicowar ; and there were circumstances peculiar to the constitution of the commission which rendered it highly desirable that an early opportunity should be taken of expressing the strong disapprobation entertained by Government of the

case, the fact of my having sanctioned the native agent's pretended acquiescence might be objected to, as opposed to strictly judicial usage. But this is a matter of political exigency, for which the rules and forms of British courts of law are inapplicable, and where the guilty parties can only be punished as political offenders. The very serious detriment which the interests of Government have sustained for years past in our transactions with this Durbar, owing to the corruption of the Residency establishment, is too notorious to leave me any doubt or hesitation as to the expediency and propriety of the course I thus sanctioned ; it being the only possible way of bringing the abominable practice to light, and putting an end to an evil, which some signal evidence of the indignation with which the British Government regards the corruption of its servants (by the severity of the punishment awarded to persons found guilty of tampering with them for that purpose), is now alone wanting to accomplish."

* One of the charges on which I was ordered to prosecute.

the insults the sheristedar had offered to myself, and of his efforts to bring my authority into contempt at the head quarters of my jurisdiction. About three months prior to Mr. Frere's nomination as commissioner he had been removed from Dhurwar to the more lucrative judgeship of Surat, in succession to Mr. Andrews; and thus the hitherto unrebuked insulter of his Highness and myself, the man who had made his mission by Mr. Andrews a plea for ransacking books with a view to discover loopholes for Nursoo, and the man who had impressed the people of Baroda with the belief that a commission would be sent to screen those that I had condemned, had become the sheristedar of the gentleman whose advent was regarded as the fulfilment of his predictions.*

49. As regarded the Joitabae case, it appeared to me of not less importance that the decision of Government should be obtained as to the criminality of Baba Nafra and his abettors, before his kinsman, Nursoo Punt, was brought to trial. For, as I have before said, as I had apprised Government, and as I had proved in my report, the Durbar and some of the leading bankers and nobles of Baroda had been leagued against me in an attempt to screen Baba Nafra by the most disgraceful means; and it was but natural to suppose that the infamous artifices previously had recourse to would be persisted in during the commission, so long as a hope was entertained that Baba Nafra might be got off, so long as Government withheld anything, in the most remote degree, displaying their displeasure at his conduct; so long as Government abstained from, in the slightest degree, manifesting its abhorrence of the conduct of his abettors; and so long as it abstained from in any way evincing regard for an officer who it knew had been insulted and thwarted at the head-quarters of his jurisdiction, for no other reason than because he had entered into a crusade against khutput.

50. In continuation of the remarks on this subject made in para. 22, I beg to subjoin the following extracts from two letters which I had deemed it my duty to address to Government. The first is from my report on a petition presented in behalf of Baba Nafra, after he had been convicted by a native court of judicature:

"There is but one truthful assertion in the petition now under notice, that, namely, to the effect that the British Government has been held up to scorn at Baroda. Such, I regret to say, is undoubtedly the case; not, however, as the petitioner alleges, from its being rumoured throughout the city of Baroda that his Lordship in Council has no authority to interfere or interpose in this case, but from the friends of the Baba industriously promulgating, that individual, at the Presidency will secure for him a mitigation of the very inadequate punishment awarded to him by the Panchayet; and absurd as the supposition is, and indicating though it does, a total ignorance of the British character, and of the purity and inflexibility of British justice, Government can hardly wonder that it finds acceptance amongst a body of men whose faith in khutput is of long standing and deeply rooted, and who, as I have before had occasion to say, fancy they can trace in Baba Nafra's past career an illustration of the efficacy of 'khutput.'"

51. And in handing up the case I had expressed a hope that a consideration of the difficulties which I had had to encounter, and which arose in a great measure from a popular belief in their own sympathy with corruption, would "satisfy Government that their own dignity, and the welfare of those under their protection, imperatively demand that they should, whenever it is in their power, render me that prompt, active, cordial, well-marked, and energetic aid, without which it is in vain I attempt to vindicate the purity and incorruptibility of British justice; and to eradicate that universal and deeply-rooted belief in the efficacy of khutput, which tends daily more and more to demoralize the people of Baroda, and which, while it remains uneradicated, will inevitably bring forth a succession of Baba Nafra's and Nursoo Punt's, of Joitabae's and Moreshwur Fudkeys, to the scandal of the British name."

52. Mr.

* True, Mr. Frere brought to Baroda his political, not his judicial establishment; but they were a Surat establishment, and the sheristedar and his friends knew well how to make the most of the facts I have detailed. Besides which, Kesboo Row, Nursoo's son, the individual who had commissioned the sheristedar to hunt up loopholes for Nursoo in respect of his bribes, was also a subordinate of Mr. Frere, and came up to Baroda to aid his father on the trial.

52. Mr. Malet could not, of course, tell me what advice he tendered, yet I cannot but believe that my appeal must have been supported by one whose personal experience of Baroda, under familiar circumstances, must have convinced him that I by no means exaggerated the evils likely to result from the course about to be adopted; and I shall ever retain a grateful recollection of the kind readiness with which he neglected his own very pressing private affairs and hastened off to Parell to lay my appeal before the Governor, with whom he remained several hours. But this appeal, like all its predecessors, was made in vain. Mr. Malet was instructed to write to me as follows:

"In reply, I am instructed to state that in my letter, No. 168, it was not intended to be intimated to you that the decisions of Government on those cases in which Nursoo Punt is not concerned, should be withheld until the result of the commission is known; but that, as in the cases of Joitabae Settance and Mr. Andrews, now under consideration, the details are so voluminous as to preclude the possibility of Government speedily arriving at a conclusion on their merits, it is considered that, under all the circumstances of the case, it will probably be eventually more satisfactory to Government, as well as to yourself, that the decision in all the cases alluded to by you be withheld for the present.

"I am, in conclusion, directed to inform you, that the postponement of the final opinion of Government must not be regarded by you as indicating any other than a sincere intention on the part of Government to afford you all the aid you can fairly expect in your efforts to expose any nefarious or irregular transactions."

53. Voluminous my reports truly were, as every report of mine necessarily was, after the elaborate defence of Nursoo Punt, so often adverted to in this report; the more so as Government had, on more than one occasion, rejected my representations on what, from my local knowledge and experience, I believed to be matters of importance, without assigning its reasons for doing so; thereby rendering it incumbent on me to be minute and ample, in order that when my disallowed reports were sent to the Court of Directors, that honourable body might be in a position to judge of the representations I had made to the local Government.*

54. The allusion to the "sincere intention of Government to afford all the aid I could fairly expect in my efforts to expose any nefarious or irregular practices," I could in nowise understand; for, as a public servant, labouring under the most disheartening difficulties, to indicate the purity of British justice to a body of men deeply imbued with a belief in khutput, I conceived I could fairly expect the fullest aid in the power of Government to render me the highest stretch of its authority in my behalf, and the vigorous exercise of its best energies for the promotion of the great object I had in view. And how, withholding from me the most trivial manifestation of its good-will,† could possibly, directly or indirectly, aid me in carrying out the unsought (and appealed against) task which Government had imposed on me, I was utterly unable to comprehend, and I am so still.

55. The considerations just detailed satisfied me that I would enter on the prosecution of Nursoo Punt under circumstances most unfavourable to its successful issue; under circumstances calculated to impress the already deluded people from amongst whom my witnesses were to be derived, with a conviction that they were right in believing that my own overthrow, not that of the corruptionists, was desiderated by Government; and I felt, moreover, that as regarded the object I had in view, the eradication of the belief in khutput, the issue of the trial was a matter of little importance. If acquitted, Nursoo's acquittal could hardly tend to increase an article of popular creed already received as an axiomatic truth; if convicted, his conviction would, I knew, be represented by the corruptionists as having been obtained in spite of the proceedings of Government.

56. I resolved

* My report on the subject of the bribe given to my native agent, was not a voluminous one.

† Beyond the letter confirming my suspension of the four members of my establishment, a letter which had been written on the 29th of April, before my statement of facts was modified, and before the commission was talked of.

56. I resolved to do my best to secure his conviction ; but at the same time I deemed it my duty to draw up a protest, detailing the circumstances under which Nursoo Punt was brought to trial, especially as regarded the five additional charges, with a view to making a respectful appeal to the Honourable the Court of Directors. That paper is embodied in the present section. It was purposely prepared before the commission opened, and submitted to the gentlemen who aided me in conducting the prosecution, that I might secure their testimony to the fact that the appeal I had resolved on making to the Honourable Court, was not an afterthought suggested by the failure of an arrangement I had hoped, but had failed, to conduct to a successful termination.

Section VI.

1. THE trial of Nursoo Punt, or rather his trials, for each charge formed the subject of a separate investigation, embracing every feature of a complete trial, commenced on the 11th of June. But owing to the various adjournments that have been necessitated for the preparation of the defence and rejoinders in each of the seven charges, and the various delays that have occurred in consequence of references as to handwriting to Bombay, Poona, Kolapoor, and other places, the proceedings have only closed this day, the 11th of October.

2. The Commissioner considers himself precluded from communicating to me the decisions at which he has arrived ; but from the nature of the evidence recorded, I feel assured that he is satisfied of Nursoo's guilt in respect of all the charges which Mr. Malet directed me to prefer against him. There may be a want of full legal proof on some of the charges, and some of them could not be expected to be established by full legal proof ; but I am certain that as regards all, no moral doubt of the guilt of the accused rests in the Commissioners, and this, under the circumstances of the case, is very much more than I had any right to expect.

3. Certain of the circumstances which forbade me to hope for a successful issue to the prosecution have already been detailed. It is proper that I should enumerate others.

4. On the 6th of June I received a letter from Mr. Frere, intimating that though the charges were sufficiently distinct to let him know the nature of the duty with which he was charged, they were not "sufficiently clear to enable an accused person to defend himself, and did not appear to have been drawn out with that object." He therefore requested me "to have them drawn out with a view to Nursing Row's being able to defend himself against them." He particularly noticed "the last five charges, all of which," he observed, "should respectively contain the information he was accused of having withheld, the false information furnished, the names of the persons to be bribed, and the name of the member of Government unauthorizedly accused."

5. Time did not suffice for searching my various voluminous reports, so as to draw up my amended charges with careful exactness ; and with regard to the precise nature of the evidence that could be brought in support of them, I had to rely on my memory. And though I endeavoured, with the aid of my assistant, to draw them up in as comprehensive a manner as possible, like most attempts of laymen at lawyership, our endeavours were not very successful, and we subsequently found ourselves embarrassed by the very means we had taken to ensure us scope. In some instances we were betrayed into inconvenient specialities, while in others we overlooked incriminatory matters that might advantageously have been introduced ; and the same unfamiliarity with law and legal procedure damaged us in the selection and arrangement of our documentary evidence.*

6. Still

* Thus while, in respect of the Joitabæe case, I trusted that the general scope of my report would have satisfied Government that the villainies that had been practised by the punchayet could not have been carried out without the aid of Nursoo Punt, and that Captain French's harsh procedure to Joitabæe could only have arisen from the deceptions practised on him by his native agent, I was obliged to select four cases in which I conceived I could more clearly trace out his agency.

6. Still more did we feel the inconvenience of our unacquaintance with the rules and practice of courts of law in other matters. Many were the blunders we made, both of omission and commission, in preparing our addresses, in examining witnesses, &c., while on the opposite, Nursoo Punt himself, a man of no ordinary talent, and well versed in the trickeries of "Adawlut Turkut," supported by his son, who is an adept in the English language, and a shrewd man, and further aided by a professional vakeel, adroitly availing himself of our blunders, was for the most part secured against similarly committing himself.

7. As an illustration of the damage caused to the prosecution by our ignorance of judicial rules, I may mention that at the commencement of the proceedings, in submitting my list of evidence, I entered the name of every individual from whose examinations, or cross-examinations, I believed that the commission would possibly elicit any grains of truth. Some of these were men who had deliberately perjured themselves before myself, and were men who I knew to be the unscrupulous partizans, and in some cases the accomplices, of the accused. I thought only of how the truth could be dragged to light; I intended to convict of perjury those who had endeavoured to baffle me in my inquiries into Nursoo's misdoings. I was unaware that I should be prohibited from shaking their testimony, and convicting them of falsehood out of their own mouths; and, as might have been expected, I played into the hands of the accused, and furnished him with witnesses in his favour.

8. And in respect of the documentary evidence, I adopted the same unwise plan. I dragged in every official document bearing on the several cases, thus giving Nursoo the means of studying the former depositions of my witnesses before they made their appearance in court, enabling him to read my thoughts as communicated to Government, putting him prematurely in possession of the worst I had to say against him, apprizing him of what I regarded as weak points, and actually supplying him with the arguments in his own defence, which had been put forth by Government. I had no clear conception of the form of procedure of the court in which I was about to appear as prosecutor. Nor did I think of the aid I was rendering Nursoo. I simply knew that my reports were the reports of an honest man, who had laboured, despite discouragements of every kind, to remove what he believed an unjust odium from the British name, and that they referred to the cases in hand. I thought they might be useful, and I put them in.

9. Another great disadvantage under which I laboured was my disqualification as a witness, owing to the prosecution being at the instance of Government. There was not one of the seven charges on which my testimony, on more than one point, would not have tended to promote the conviction of the accused; and had I prosecuted in my own name, my evidence would have been available. It was most necessary, not only for establishing facts, and neutralizing the false statements of some of the witnesses, but for meeting the deliberate, and in many instances most insolent, untruths in which Nursoo indulged in his several defences. For the latter object, indeed, it would not have availed much as regarded the Government, as the Act under which these trials took place specially ordains that the rejoinders of the prosecutor shall not be recorded.*

10. Another advantage to the accused was afforded by Government withholding its decisions on the several cases out of which arose the charges against Nursoo Punt, as alluded to in the preceding section.

11. But it was the graver of the difficulties alluded to in that section that I had most cause to deplore.

12. The idea prevalent in Baroda was, that in reality the Resident, not the accused, was on his trial; that this was the long predicted commission that was to upset all my anti-khutput labours. So strong was the belief, that application was made in court by Baba Nafra to Mr. Frere, at an advanced stage of the proceedings,

* Though not compelled to do so, I furnished Nursoo with my opening addresses on the first three charges, a concession of which he took advantage to draw up his defence in such a manner that answering him entailed on me no slight amount of mental labour.

proceedings, to have his case re-investigated. The Commissioner gave him the answer he deserved.

13. On the 2d of July, a nephew of Baba Nafra's addressed a petition to Government, begging that Mr. Frere might be instructed to investigate his uncle's (the Joitabae) case; and on the 12th of that month, the Commissioner having got through less than one-third of his proceedings, Government directed me to apprise the petitioner that it did not "at present" see any cause to interfere.

14. I do not presume to find fault with this letter, but I may be permitted to observe, that it was not calculated to destroy the hopes of Baba Nafra's friends. So painfully was I oppressed with the conviction that to give a literal translation of this message to the petitioner, would have been to invite a wholesale perjury with a view to get the Baba's kinsman, Nursoo, acquitted, that as a political officer, acting under stupendous difficulties, I deemed myself justified in withholding that portion of the letter which seemed to imply that, after the commission, Government might possibly interfere on behalf of Baba Nafra. I kept the "at present" out of sight; I was in hopes that the qualifying words adverted to might not be communicated to the Baba's friends by their Bombay correspondents. I was in hopes that if communicated they might not be credited. I had the further reason, moreover, to abstain at that time from inspiring Baba Nafra with unfounded hopes, that he had just then, on learning that the evidence on the trials was going so strongly against Nursoo Punt, proffered to make disclosures of great importance. His overture led to nothing, however, because I did not consider myself justified in admitting so great a criminal to the terms he sought, even to ensure the conviction of others (as well as Nursoo Punt) to be involved by his disclosures.

15. But to return to Nursoo, whom Mr. Jenkins (the magistrate of Ahmedabad) had, on the 16th of May, been ordered by Mr. Malet to send "at once to Baroda." He could not only point to the history of my unsuccessful representations to Government, but he could, and I have reason to believe he did, adduce the circumstances under which he made his entry into Baroda, as a proof of the unreality of the trial to which he was nominally to be subjected.

16. In the case of Brijlall, who, like Nursoo, was at Ahmedabad when his trial at Baroda was resolved on, Mr. Malet had deemed it necessary to request that he might be prevented from "leaving Ahmedabad until further communication." And Mr. Sutherland had deemed it necessary to detain him "under a guard," "in a room in the Residency office," because, "without that step," as he reported to Government, "he did not believe he should be able to accomplish the object of Government, and get at the truth in any case." And even Government, though it disallowed Brijlall's confinement, had authorized his detention in camp, and his subjection to the supervision of peons as a preventive against his suborning evidence in the city.

17. But widely different was the case of Nursoo Punt, a man charged with crimes as gross as those of Brijlall, and possessed of influence, in the city and Durbar of Baroda, at least as great.

18. He came to Baroda, on the 29th of May, no fettered prisoner. He came not as an European officer would have been obliged to come, "under arrest," and with diminished social privileges. He came not under recognisances. He was not directed to report himself, pending the arrival of the Commissioner, to any civil or military authority. He came free to go where he chose, and to do as he pleased, under no control, and subjected to no surveillance; and, more than all, he came in a sort of state, attended by Government belted servants, not as guards, but as an honorary retinue. Attended by them did he daily repair to and return from the court, displaying himself in camp and city in his ornamented palankin, with a state equal to that of the Commissioner.*

19. The

* As Government did not honour me with a copy of the instructions sent to Mr. Jenkins, I cannot say how far the distinction with which Nursoo was treated was accidental, nor how far illusory. It may have been that the two peons and the jassood who attended him were intended to control him. But this I do know, that he was allowed to go where he chose and do what he liked; and

19. The 14 days that elapsed between his arrival and the commencement of the Commissioner's proceedings was a holiday time to Nursoo, burdened only with the visits and negotiations requisite for carrying out his tactics.

20. Though he arrived in the neighbourhood of Baroda on the 29th of May, he remained at the village of Chanee, three miles distant, till the 2d of June, and to Chanee repaired at night Narrain Row, a suspended carcoon of my office, and other agents of his corruptionist friends. As regarded one of these, whom, in my ignorance of judicial procedure, I had entered as a witness, I was anxious to elicit the fact of these nocturnal visits in open court, but I was prevented by the rule which prohibits a man invalidating the testimony of his own witnesses.

21. On Nursoo's removal from Chanee to the city of Baroda on the 2d of June, the machinations of his friends assumed a more systematic character; but though I had information of many attempts at subornation of perjury, I had no legal evidence to produce, except in the case of one man, a principal evidence against Nursoo, on the charge of having received a bribe of 20,000 rupees; and as the individual in question did not forswear himself in court, I was not permitted to prove that attempts had been made to tamper with him.

22. Perjury there was, false and imperfect evidence; but only in one case was it so transparent as to justify the judge in the adoption of extreme measures. It was Joteshwur, the man who had been sent by Baba Nafra to bribe Mr. Reid, and in the following year had been the confidential bearer of a letter to Mr. Willoughby. He perjured himself deliberately, and was at once placed by Mr. Frere under the custody of a Nague and three, and handed over to the Guicowar authorities. I mention this because I feel assured that, but for the Commissioner's decided manner in this case, as also in others where the witnesses hung back, such an amount of deliberate perjury would have been practised as must have ensured the acquittal of Nursoo on every charge.*

23. I have said that this Commission was looked on as the one which Mr. Andrews' Sheristedar had foretold would be sent to upset all my previous decisions. Nursoo, or his friends, attempted to improve on this by representing that Mr. Frere had been selected as a Commissioner on account of the friendship represented to be borne to him by Mr. Frere's brother,^a from whom Nursoo Punt declared he had received a letter to the judge; and it cannot be a matter of much surprise, after what has been detailed in the preceding sections, that the absurd story should have found acceptance with many; confirmed, as I have reason to believe it was, by the equally mendacious statement of Nursoo Punt's son, to the effect that he had accompanied the Commissioner from Surat to Broach, and only left him at that town as his father's interests demanded his immediate presence in Baroda.

24. In support of his assertion, that a perfect understanding subsisted between himself and the Commissioner, Nursoo directed his letters to be sent to that gentleman's care. True, Mr. Frere took an early opportunity of reading Nursoo a severe and indignant lecture on his impertinence, but the lecture Nursoo did not trouble himself to spread abroad, while care was taken to make it known that his letters were sent for delivery by the Commissioner.

25. It occurred also to Nursoo, that it would tend to promote the belief in his secret understanding with Mr. Frere, were he to get some of his friends placed in that functionary's establishment.

26. Accordingly, some days before the arrival of Mr. Frere, Nursoo's friend,
Runchore

^a The Commissioner in Scinde.

that the Government peons were regarded by the natives as an escort of honour; and so in very deed they seemed even to myself. The jassood that accompanied him to Baroda stayed about a month; the two peons remained to the last. Besides these, he had the usual protection escort of horsemen on the journey from Ahmedabad. And to these, of course, no exception could be taken.

* A circumstance occurred which tended to aid the beneficial effect on the public mind, of Mr. Frere's decided tone. Bheemashunker, one of the leading men of Baroda, had perjured himself before me in behalf of Nursoo Punt; he was to have repeated his false testimony in the Commissioner's Court; he suddenly fell down dead. And another man from whom we expected false evidence, but who told the truth in what was supposed to be his dying deposition, instead of expiring within a few hours after giving his deposition, as all expected, rapidly recovered. These circumstances made a considerable impression at the time amongst men who are as superstitious as they are unscrupulous.

Runchore Sumbhooram, who had aided Mr. Frere during his prosecution of Mr. Grant, made his appearance from Ahmedabad; and on Mr. Frere's arrival, waited on him, and proffered his services. They were, of course, declined by the judge, and Nursoo's friend soon relieved us of his presence.

27. Of Nursoo's tactics and improper proceedings I could say much, but it would avail nothing, as I could not legally prove them; but I may mention one incident that came under my personal notice.

28. My native agent, the man who had informed me of the attempt made to corrupt him by Baba Nafra, and of whose honesty I in vain endeavoured to get Government to take some public and honourable notice, had been giving evidence which was distasteful to the accused. On the conclusion of the day's proceedings, the two met in the verandah, within a yard or two of the judge's seat (but, being outside, not within his hearing), when Nursoo indulged in most disgraceful threats of vengeance, vowing that ere long he would have him imprisoned on charges of bribery, and I should not be surprised if he were as good as his word; for so bitter is the hostility that Sooruzram has incurred by his honesty, and by the aid he has rendered me, that conspiracies have long since been hatched against him. He was marked out as a victim by Mr. Andrews' Sheristedar during his memorable visit to Baroda; and so alarmed was my native agent at the plots he was informed were hatching against him, that he wanted to resign his office; and at his urgent entreaty I directed Mr. Battye to take an inventory of his jewels and valuables, lest it might hereafter be sworn against him that any of these were recent bribes.

29. These notices in reference to the trial have, I am aware, a gossiping appearance, but I trust they will not be overlooked on that account. They indicate the difficulties in which I have been placed, and they tend to show how reasonable were the representations made in my last unsuccessful appeal to Government before returning to Baroda.

30. The views entertained of the Commission were illustrated at an early stage of the proceedings. I had summoned one of the leading bankers of Baroda, Gopal Row Myral, one of Nursoo's staunchest partizans, and an accomplice of his in screening Baba Nafra in the Joitabae case. The man's demeanor will be best understood from the following letter, which, with the Commissioner's knowledge, I addressed to Government on the 27th of June:—

"I have the honour to transmit for the information of the Right honourable the Governor in Council, the purport of a communication addressed by me personally to his Highness the Guicowar yesterday evening; and I have further to request that in doing so you will, with the least possible delay, bring to the notice of his Lordship the absolute necessity that exists for his interposing the authority of his Government to secure the co-operation of the court and subjects of his Highness, without which the Commission now sitting at Baroda must necessarily prove a delusion, a mockery, and a snare.

"As an illustration of my meaning, I have to cite the unseemly exhibition made yesterday in the Commissioner's court, referred to in my communication to his Highness. I had occasion to call as a witness Gopal Row Myral, the leading sowcar in Baroda, for the purpose of giving evidence as to matters of banking usage. When desired by Mr. Frere to take the oath, he laughed at the proposition in a most insolent manner, obstinately refused to be sworn, and for a considerable time sat thrumming carelessly on the table, varying this amusement.

"After many solicitations from the native agent, and assurances on the part of the court that, were the Governor himself present, and his evidence required, he would submit to be sworn, he agreed to take the oath; but just as the carcoon commenced the formula he resumed his merriment, and not until I had given orders for a yad to be prepared for transmission to his Highness on the subject, did he consent to be sworn. But when sworn he resolutely refused to reply to the questions put to him, on the plea that I had once before examined him on the same subject.

"I have been given to understand that several other witnesses whose testimony is likely to be prejudicial to Nursoo Punt, have determined on following Gopal Row's example. I have information of others having been influenced by parties about the Durbar to forswear themselves if their evidence be insisted on.

I have proof that several individuals have been persecuted in various ways, on account of evidence formerly rendered by them to the detriment of Nursoo Punt, and I have reason to believe that further persecutions are in store if they persist in giving testimony of a similar import.

"Under such circumstances as these his Lordship in Council cannot suppose that it will be in the Commissioner's power to arrive at the full truth of the case; and the only means by which their effect, whether for or against the accused, can be mitigated, is by Government authorizing me to declare in an emphatic manner to his Highness that he will be required to manifest the severest displeasure towards, and effectually to punish, all who may in any way display contempt of the Commissioner's court, or who may be convicted of perjury or other criminal practices in respect of the evidence they give; and that in the case of persons enjoying the British guarantee so offending, their guarantee will be annulled.

"To show the shameless manner in which the influence of the Durbar has been exerted to deter witnesses from giving evidence against Nursoo Punt, I beg to annex extracts from my diary of information of what has occurred within the last three days, derived from unquestionable sources."

31. To this letter I received the following reply, dated 2 July:—

"I am directed by the Right honourable the Governor in Council to observe that you have not stated whether Mr. Frere, the Special Commissioner, has requested you to make any representation to his Highness the Guicowar on the subject, and to point out that any irregularity in the court is for Mr. Frere to notice to you, as Resident, if he requires your aid; and that on any requisition from that officer you can make the desired communication to the Guicowar.

"I am further desired to inform you that a letter will be immediately addressed by the Honourable Mr. Blane, in the absence of the Right honourable the Governor, to his Highness the Guicowar, informing him of the assembly of the Commission, and requesting his Highness' aid in effecting the object for which it has been appointed."

32. On the same day, the letter to his Highness above adverted to, was forwarded through me, of which the following is a translation:—

"After compliments.—Further, in the absence of the Right honourable the Governor from the Presidency, I beg to inform your Highness that Mr. W. E. Frere has been appointed a Special Commissioner to inquire into certain charges which have been brought by the Resident at Baroda against Nursoo Luxumon, the late native agent, and request that your Highness will afford aid in effecting the object for which the Commission has been appointed."

33. I had acquainted the Commissioner with my intention to make a representation to the Durbar on the subject, and this representation had for a short time a beneficial effect. The minister pretended much indignation, and made a great show of zeal; but though I cannot prove it, and those who are acquainted with native Durbars must well know that, in such cases, proof is seldom possible, I know that he has been secretly working against me, and deterring those who could give me information from coming forward, and otherwise doing his utmost to thwart and embarrass me. But, situated as I am in respect of my own Government, I do not choose to exercise that power which Residents generally feel themselves at liberty to exercise, and must for the while submit to the inconvenience occasioned by the intriguing opposition of the chief adviser of the Prince at whose court I reside, though I trust that the facts detailed in my Joitabae Report will be considered as justifying my being authorized to communicate to his Highness the Guicowar, the wish of the British Government that he should select another and a better counsellor.* Only the other day did the minister send to Baba Nafrā's family the annual present of clothes customary to be given by the Durbar to the principal gentry of Baroda on the occasion of the Gunputty festival.

34. The whole of this report was in the copyist's hands, and its transcription nearly completed, ere Mr. Frere finally concluded his labours; and it was my intention

* To this point I have referred in the letter which transmits the present report: *vide* paras. 7 to 17.

intention that it should arrive at the Secretariate simultaneously with the gentleman's "proceedings." But delay has been caused by the discovery of fresh treachery and infidelity in the Government Secretariate, tending greatly to my own embarrassment, and I was anxious to condense my revelations on this score into a separate section; but on further reflection I have resolved to make them and some further investigations I see before me the subject of a second or supplementary report on Khutput.

35. The present, however, is complete in itself, and I am desirous that it should be disposed of on its own merits, without any reference to what I may hereafter deem it my duty to disclose.

Concluding Section.

IN the foregoing sections I have, I conceive, satisfactorily proved that a belief in the efficacy of Khutput prevails extensively within the Guicowar territories; and it has been my painful duty to show that to the proceedings of the Bombay Government itself, and to the feebleness of the support it has rendered to its local officers engaged in uprooting corruption, in no slight degree is attributable the prevalence of the belief in question.

2. By establishing this point, I have indirectly indicated the mode by which the perpetuation of the doctrine and practice of Khutput may be most effectually prevented.

3. But the indicated mode will necessarily be slow of operation; and there are certain measures which appear indispensably necessary for the more rapid uprootal of a creed which brings odium on the British name, and paralyses all the efforts for good of the British representative.

4. I would therefore recommend:—

I. That the Bombay Government address a khurrata to his Highness the Guicowar, expressing the distress with which it has learned from my late reports, and from the proceedings of the Commission, the extremely lax state of political morality at Baroda, as evinced by the systematic and persevering efforts of the Durbar officials to obstruct and defeat the Resident's exertions to expose that corruption which has so long prevailed at Baroda, to the detriment of the interests and honour of both governments.

Having given forcible utterance to these sentiments, though at the same time exonerating his Highness from any personal participation in, or knowledge of, the misconduct of his officers, the khurrata should, in my opinion, express a confident hope that his Highness will for the future cordially and energetically co-operate with the Resident in eradicating the system of corruption and intrigue which has so powerfully impressed on the public mind a firm belief in the efficacy of Khutput.

The khurrata should also, I conceive, urge his Highness to adopt the following measures:—

1. The dismissal of his adviser, Bhow Tambayker, on the ground that that individual has lost the confidence of Government, as without his connivance and support, it is impossible that the obstructions to the investigations of the Resident could have been organized, but more especially on account of the delays, subterfuges, and absolute denial of justice in the case of the Settanee Joitabae, which could not have been ventured on by the punchayets without his sanction.

2. The public proclamation of his Highness' unalterable resolve to punish with fine, imprisonment or degradation, or by all combined, any of his subjects who may seek to gain the assistance or support of British officials, whether European or native, by improper means.

3. The public proclamation of his Highness' firm resolve to punish in future any of his subjects who may thwart or embarrass the proceedings of any legally constituted British court, or commission, with at least equal severity as such persons would be liable to if they had been British subjects.

II. That a communication be addressed to me in my official capacity of Resident, and to be read to me in public Durbar, expressing the deep interest taken by Government in the progress of my efforts to root out the corruption so long prevalent in the Political Department of Baroda, its satisfaction at the success which has attended these efforts, and its determination to render me cordial and powerful assistance on all similar occasions, and declaring its fervent hope that the result of my labours will be the vindication of the honour of both governments, and will draw still closer the bonds of friendship that have so long united them.

III. That some substantial acknowledgment of the services rendered by Venayek Moreshwur Fudkey (as detailed in the 2d section, 2d part of the report), in the years 1837-38, and in 1847-48, and that the bestowal of this acknowledgment be notified to him by me in public Durbar, before the leading members of the European and native communities.

IV. That Government authorize me to address to Sooruzram, the present native agent of the Baroda Residency, a decisive expression of its approbation for his rejection and exposure of the enormous bribe offered to him by Baba Nafra, which I reported to Government on the 11th July 1850, and for his zealous aid in tracing the acts of iniquity which I have subsequently brought to the notice of Government, and that some substantial token of that approbation be bestowed upon him.

V. That Nursoo Punt's offences and the punishment awarded for them be publicly notified.

VI. That Government authorize me to express publicly to the Settanee Joitabae its deep sympathy with her unmerited sufferings, its horror at the foul conspiracy of which she has been the victim, and its sincere regret at finding that it had been misled into indirectly permitting the persecutions she has endured.

VII. That some measure be adopted for the establishment of a court by which the official servants of Government, attached to the Residency of Baroda, may be tried and punished for bribery and corrupt breach of trust.

VIII. Or if such a court be not established, that a legislative enactment be obtained, declaring the above offences to be felony, and punishable with fine or imprisonment, or both combined, in addition to the repayment of any pecuniary consideration the parties convicted may have received.

IX. That a legislative enactment be obtained to amend the Act XXXVII. of 1850, by providing:—

1. That in every case the prosecutor be eligible as a witness.
2. That the reply of the prosecutor, as well as that of the prisoner, be entered on the proceedings.
3. That in case the original charges be altered at the requisition of the Commission, it shall, in giving an opinion on those amended charges, also give an opinion whether, and how far, the charges as they first stood have been substantiated.
4. That if the accused employ a legal adviser, time shall be given for the prosecutor to secure similar assistance if he be so minded.
5. As the mischief that may be produced by the corruption of the political servants of Government is greater than can generally result from corruption in other departments, it appears evident that the facilities of detecting and bringing such offenders to justice, should be at least as great and certain as in other departments, while the punishment should be greater in order to deter them from the hazard. But at present the facilities of conviction are less, and the uncertainty of punishment much greater than in any other class of crimes, a consideration which I have been desirous of placing before Government.

6. The recommendations I have made, therefore, are offered under the firm conviction that the non-adoption of them will be attended by results as unfortunate and lamentable as was the neglect of the recommendations made by

Mr.

Mr. Sutherland, Mr. Malet, and myself, in 1837-38, and that if Government shelter itself now, as then, under a cold enunciation of disregard for public opinion, and a barren expectation that its integrity will perforce blaze out through the covering under which the ceaseless intrigues and machinations of corrupt men is daily and hourly concealing it; if, in short, it will persist in regarding its official purity to be of that kind that the breath of calumny cannot tarnish, and over which the most strenuous and persevering efforts of iniquity can cast no stain, then, indeed, though we may lament that Government should take so high an estimate of the discernment of its native subjects as to deem no efforts necessary for the vindication of its own honour, it will be evident that no efforts of its local officers can do that which the Government itself deems unnecessary to be done.

(signed) *J. Outram*, Resident.

(True copy.)
(signed) *J. Outram*, late Resident.

REPORT on the Popular Belief in KHUTPUT.

PART III.

Supplementary Sections I. II. III. IV. and V.

Embracing the Narrative of Lieutenant-colonel *J. Outram's* Anti-Khutput Proceedings, from the date on which he gave in his Khutput Report, Parts I. and II., to the 15th of December 1851, when, under compulsion of the Bombay Government, he resigned his office, together with the circumstances connected with his dismissal; with Transmitting Letter, dated 13th January 1852.

From Lieutenant-colonel *J. Outram*, c. b., Resident at Baroda, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to transmit to you a supplement to my Khutput Report, bringing down my narrative to the 15th December 1851, the day on which I formally tendered my resignation of my appointment of Resident at Baroda.

These sections were nearly completed on that date; but as, from their nature, I did not wish them to be copied in the office, and as neither Mr. Battye nor I had time to copy them, I have been obliged to delay till my arrival in Bombay enabled me to secure the services of a proper amanuensis.

I have the honour to request that they may be considered a continuation of my Khutput Report, and incorporated with that report when it is sent to the Honourable the Court of Directors; their natural position, and that which I should wish them to occupy, is immediately preceding the Appendices to the Khutput Report now before Government.

I have, &c.
(signed) *J. Outram*,
Lieutenant-colonel, Resident.

13 January 1852.

PART III.

SUPPLEMENTARY SECTIONS.

Section I.

To these sections I would respectfully solicit the most serious attention. They contain a summary of my proceedings consequent upon facts proving Khutput, which I have come to light since the conclusion of my report.

The circumstances out of which the proceedings to be narrated arose, were,

1. The interception at the post-office of suspected letters, and of certain minutes of the present Government.

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2. The discovery of a note purporting to convict his Highness the Guicowar's minister of treason, and of Guzerattee translations of certain minutes of Sir G. Clerk's Government.

3. The discovery of certain papers addressed by a soucar confidant of his Highness the Guicowar's chief minister, to his nephew Gomashtha at Bombay.

4. The policy of the Durbar up to the date of my removal from office, as evincing the illicit supervision exercised by his Highness the Guicowar's chief minister over the secret deliberations of the Bombay Government.

5. My summary removal from office, with correspondence consequent thereon.

Section II.

1. This section will relate to the intercepted letters.

2. In September last I received from Bombay certain anonymous notes, indicating one Wamun Row Sattiah, as being a party at Baroda who, in correspondence with his brother, Dajee Dhondoo Sattiah, at Bombay, conveyed to Bhow Trimbukur, his Highness the Guicowar's chief minister, information illicitly obtained from the Secretariate.

3. Circumstances induced me to attach some credence to these anonymous communications, and to prosecute inquiries which led to my conviction that the indicated party was in the habit of maintaining a correspondence requiring concealment.

4. The importance of the object to be obtained fully warranted me, I considered, in taking measures to ascertain the correctness or otherwise of my suspicions; and I, accordingly, required the postal authority at Baroda to detain and keep secret all letters received from Bombay to the address of the said Wamun Row, and of the parties under cover of whose names he corresponded. The requirement was made in respect of letters received either for Wamun Row, addressed by his brother, or from Narayn Row, the suspended carkoon alluded to in my Section IV. Part II.

5. I was aware that the measure was not strictly in accordance with the postal regulations in force within the British territory; but calling to mind that Sir J. Graham had, in compliance with the wishes of a foreign power, considered himself warranted in causing the letters of suspected parties to be opened without their knowledge, and that the Bombay Government in 1842-43, when investigating the Dhackjee Dhadajee case, had adopted a like course; I ventured to hope that, "in consideration of the great injury to its interests which Government had sustained for many years past in connexion with the Baroda state, by the systematic betrayal to the Durbar of its most secret deliberations, his Lordship in Council would approve the proceeding."

6. On the 8th October the postal authority attended at the Residency with the letters (seven in number) thus intercepted. The individuals at Baroda connected with the letters, either as despatches or intended recipients, acknowledged them, admitted after a very careful and minute scrutiny that they had not been tampered with, and were required to open them.

7. They were as follows:—

One packet from Bombay, addressed to Wamun Row Sattiah, of Baroda, containing enclosures to himself in the handwriting of his brother, Dajee Dondoo Sattiah, who resides at Bombay.

Two letters addressed to Wamun Row Sattiah by his brother Dajee Dondoo Sattiah.

Three letters addressed to individuals at Baroda, but containing enclosures to the address of Wamun Row Sattiah.

One letter from Narayn Row, the suspended carkoon of my establishment (alluded to in my Section IV. Part II.), addressed to the Sheristadar of the Revenue Commissioner's Office at Poonah, and containing two enclosures for that person.

8. Of

8. Of these letters, that from Narayen Row, appearing from its first paragraphs to be irrelevant to the matter under investigation, was returned to him.

The others all exhibiting the intimate supervision exercised by Dajee Dondoo Sattiah over the proceedings of Government, were further detained for submission to his Lordship in Council.

9. Without loss of time, I communicated to the Chief Secretary what had taken place, and requested him to subject Dajee Dondoo Sattiah to an immediate examination, with a view to elicit from him the source from whence he had obtained his information.

10. I entreated Mr. Malet, immediately on receipt of my letter, to summon Dajee Dondoo Sattiah, and take down that individual's deposition as to how he obtained certain minutes of Council, translation of which he forwarded to his brother in a letter under cover to the address of another individual, and "which reached Baroda about a week ago."

11. I intimated to Mr. Malet that "the subject of these minutes was, the Kristna Row Wittul case, the deliberations of the Governor and his councillors on which are duly transcribed by Mr. Dajee for the Durbar, and not only so, but in another letter, regular lawyer-like instructions are furnished to the Durbar, as to how each point of reference suggested in Mr. Blane's minute should be answered."

12. I observed that "The outline I have given of the nature of the papers he forwarded, will enable you to put such questions to him as will doubtless elicit the whole of the information you require as to the traitor among your subordinates, if he be only examined at once, before the united cunning of Nursoo, Bhow Tambekar, and Wamun Row (who will put their heads together to-night) has suggested to Dajee the steps he should adopt to baffle your inquiry."

13. And I observed, as a proposition not requiring demonstration, that "of course in the same manner as the deliberations of Council on the Kristna Row Wittul case have been betrayed, so are they of every other matter on which the Council deliberates;" every matter, I of course meant, that was of interest to the Baroda corruptionists.

14. While engaged in procuring translations of the contents of the seven intercepted letters, an eighth was placed in my hands. It was addressed to an intermediate agent, but contained enclosures for Wamun Row.

15. My letter, of the 8th October, to Mr. Malet, was a demi-official one; but on the 13th of the same month, having had all the documents translated, I addressed that gentleman officially on the subject.

16. I expressed myself to the effect that I had at length "obtained a clue," which would enable his Lordship in Council to expose, and bring to punishment, the parties implicated in "that disgraceful system, of which Government had been repeatedly informed by my predecessors and myself," and "whereby its most secret councils are systematically betrayed."

"The disclosures," I added, "in these documents, will surprise, not less than distress, his Lordship in Council, for therein will be found, not merely the purport, and even transcripts, of Government despatches, but detailed accounts of the deliberations of Government, to which not more than two or three, and those the most trusted and esteemed of the Secretariate clerks, could have had access."

"In one of these packets," I detailed, "will be found a portion of the minutes of Council, translated apparently verbatim, in their deliberations on the case of Kristna Row Wittul; and from the reference made to this packet in another enclosure to an accompanying letter sent the same day, which latter conveys instructions for the guidance of the Durbar, as to the answer to be given to Government's references regarding Kristna Row Wittul's claims, and the reference also to another letter sent on the previous day, it is evident that the previous portion of these minutes had been transmitted in the latter, and had been duly received."

"Another of these documents," I continued, "is almost a literal translation of my despatch to your address, dated 27th ultimo; and a third makes allusion to certain negotiations carried on with parties in Bombay, with a view, I believe,

of drawing his Highness into expending money to effect the abolition of the Guzerat Irregular Horse, in the same manner as his father had been induced to do through the agency of Dhackjee Dadajee;" although I had "no proof of the fact," save what was to be gathered from "the depositions of Govind Row Roria," who stated that "though he had refused to enter into the business, it had been proposed to him, and that Dajee Dondoo Sattiah was referred to as the principal agent in the matter."

17. In reply to my demi-official letter of the 8th October, Mr. Malet informed me that he had sent for Dajee Dondoo Sattiah, who denied that he had ever sought information from the Secretariate, and maintained that the documents found in the letters sent to his brother must have been surreptitiously introduced by an enemy. But the Chief Secretary at the same time intimated, that owing to an irregularity in the post, "it was not unlikely that Dajee Dondoo Sattiah received advice from Baroda at the same time that your (my) letter reached me." (Mr. Malet.)

18. On the 3d November the Chief Secretary addressed to me a very brief letter, in reply to mine of the 13th October, but he made not the most distant allusion to the important matters that were reported to him in that communication. He desired me to refer more particularly to the "repeated instances of the allegations" stated by me to have been made to Government, in reference to the betrayal of its secrets; and he announced that "the Governor in Council was not aware that great injury had been inflicted on the interests of Government for many years past, in connexion with the Baroda state, by the systematic betrayal to the Durbar of its most secret deliberations." To this demand and announcement was his despatch limited.

19. In answering this letter I quoted from a letter of Mr. Boyd's, dated the 14th December 1843, in which he reported that his Highness the late Guicowar was in constant correspondence with the Presidency, and that he had received intelligence in respect of the determinations of Government before the receipt, by the Resident, of the letters communicating these determinations.

20. I gave an extract from another letter from the same gentleman, dated February 1843, in which he had announced to Government that "his Highness had early received intelligence that his reply had not proved satisfactory to Government, and that I had been instructed to tell him, &c."

21. In a third extract from another letter of Mr. Boyd's, I showed that, on the 19th May 1843, he had reported his conviction that information which he had been desired to communicate "was already well known."

22. And I quoted from a fourth letter from the same gentleman, written on the 1st December 1843, wherein he stated, that "the brother of Bhow Sastree was kept in Bombay for the purpose; and he keeps up a regular correspondence relating to what takes place in the Government offices."

23. I also adduced the subjoined extract from a letter written by Captain French, on the 15th of March 1849:—"I have had the honour of receiving your letter, No. 930, of the 7th instant, regarding the suit of Jumnaabhae v. Damodhur, and may here mention, that the sentiments of Government on the case were known in the city before the receipt of your letter."

24. These were the only official intimations on the subject which, during the few days I had devoted to the scrutiny of the voluminous records of my office, I could discover to have been made by my predecessors. But I had a belief, almost amounting to absolute certainty, that the communication of Secretariate intelligence to Baroda had been complained of by Mr. Boyd's successors,—privately, to the Political Secretary, if not officially,—and I recommended a reference on the subject to Mr. Ogilvy, the Commissioner at Sattara. And I expressed a still stronger conviction that I had myself complained, both to Mr. Willoughby and Mr. Malet, of a system in the existence of which I had no doubt, and of the evil consequences of which I could not understand how two opinions could be entertained; a system, moreover, which Sir George Arthur would appear to have had some cognizance of, when he intimated to the Guicowar, in 1843, that "it was very possible that Dhackjee Dadajee might have become partially informed of

of what had been resolved on," in reference to the matters of dispute between Government and his Highness. But, at all events, Government had more than once had the subject brought before them in official form.

25. Thus, in the 9th para. of my statement of "facts relative to Nursoo Punt," dated 6th April 1851, I stated:—"There is nothing, as Government is well aware, that takes place in the Secretariate, relating to Baroda matters, that does not find its way to this place."

26. And in the fifth para. of the original statement, which was some days before Government, was the subjoined passage, which was excluded from the amended copy:—"But, when I received the Advocate-general's report it was too late to rectify the evil arising out of the Chief Secretary's misapprehension; for there could be no doubt that, in the meantime, Baba Nafra, informed of my suggestions, as well by his friends in the Secretariate, &c. &c."

27. And the "Maurice letter," which has been commented on in the third section, Part II. of this report, seems to me to have afforded tolerably conclusive evidence of the existence of the treachery complained of, while the complacent silence of the yet employed clerks, who, though aware of the existence of the letter, and the mode in which it implicated the name of an ex-member of Council, failed to bring it to the notice of their superiors, appears to myself, and to those whom I have spoken to on the subject, as affording a presumption that they did not consider the divulgence of "minutes" and despatches objectionable, or, at all events, infamous conduct.

28. In reference to Mr. Malet's intimation that the Governor in Council was not aware that the treachery of Secretariate clerks had inflicted any serious injury on British interests, I did not think necessary to say all that I felt I should have been morally justified in stating. I might, I think, by an analysis of the history of this office for the last 12 years, have given several very pertinent illustrations of the relation subsisting between Secretariate treachery and the embarrassments of the Resident. But I merely observed, "With the utmost deference, I beg leave to declare, that I am deeply impressed with the conviction that I have not in the least degree over-estimated the injury to the interests of Government so caused, and to add, moreover, that not only its interests, but those of the Guicowar subjects, have seriously suffered therefrom; for I do believe that the many instances in which, for years past, the Resident has failed to induce the Durbar to adopt measures recommended by Government to the present as well as to the late Guicowar, whether calculated for the mutual benefit of both Governments, or for the amelioration of the condition of the Baroda people, his endeavours to effect those objects have been frustrated, owing to his Highness's evil advisers* having been forewarned by the prior information obtained by the Durbar, as to the nature of the communications the then Resident had to make, thereby enabling them to press it upon his Highness to oppose such measures, and to prepare arguments and excuses wherewith to meet the Resident in their discussion."

29. Mr. Malet's letter, I have already said, made no allusion to the main subject of the communication which it acknowledges; and it was matter of surprise to me that he should have passed over in absolute silence the 18th para. of my letter. That para. was as follows:—"But perhaps the most important of these papers is Enclosure 2 of No. 1, in which allusion is made to certain negotiations lately carried on with parties in Bombay, therein mentioned, the principal of whom appears to be Dajee Dondoo Sattiah. It had come to my knowledge, some time ago, that since his Highness's visit to Bombay persons at the Presidency had held communications with parties at Baroda, with a view of drawing his Highness into expending money to effect the abolition of the Guzerat Horse, in the same manner as his father had been induced to do, through the agency of Dhackjee Dadajee. I have no proof of the fact, but I have reason to think that Dajee and his accomplices have thus obtained considerable sums under false pretences. And it is probable that, if Government would institute strict inquiries at the Pre-

sidency,

* "It being the interest of these men, and of their agents, the corrupted Residency subordinates, to foster opposition on every possible occasion, during the existence of which only they reaped their gains."

sidency, grounded on the clue now afforded, authorising me at the same time to investigate the matter here, the truth would come to light. The only step I have taken in the matter, in the meantime, has been to question on the subject Govindrow Roria (the vakeel lately deputed to Bombay), from whose deposition it will be seen, that though he refused to enter into the business it had been proposed to him by Anna Shastree, and that Dajee Dondoo Sattiah was referred to as the principal agent in the matter."

30. In reference to the para. just quoted, I would crave attention while I again revert to one of the intercepted letters, that from Narrain Row, my suspended karkoon, to the Sheristedar of the Revenue Commissioner at Poonah, giving enclosure to two other letters.

31. That letter, as I have mentioned, I returned to Narrain Row, with its unopened enclosures, as the letter seemed to have no relevancy to the matter under investigation, and its enclosures were addressed to individuals not connected with the Secretariate. A subsequent and suspicious procedure on his part, however, caused me to direct him to open them; but as they were represented to me to be mere news letters, I again restored them to Narrain Row's possession. But after I had done so, and placed them beyond my reach, I learned from the karkoon who was entrusted with reading them, that the documents in question contained important revelations, which he was afraid to bring openly to my notice in the presence of Narrain Row.

32. These circumstances I reported in my letter of the 13th October, mentioning, at the same time, that I had been induced to intercept Narrain Row's letters, under the belief that he was "the channel through which similar information is obtained from the Secretariate department attached to his Lordship, at Poonah."

33. In reference to these words I was, on the 24th October, called on by Mr. Secretary Goldsmid, then in attendance on his Lordship at Mahableshwar, "to furnish such particulars relative to the information which you (I) believe has been obtained from Poonah, as will enable me (Mr. Goldsmid) to take measures for ascertaining the correctness, or otherwise, of your (my) belief; and if correct, of detecting the parties who may have been guilty of betraying their trust."

34. As Mr. Goldsmid's official letter was enclosed in a demi-official one, on the ground that it was inadvisable to be known that we were in communication, I observed a similar precaution in transmitting my reply. My demi-official letter, dated 31st October, I append:—"Here is all the clue I can give to the traitors at Poonah, who are supposed to communicate with some subordinate of the Secretariate; but possibly, if Bhikoba Bhow and Gunnesh Punt Kaley were simultaneously examined, and searching questions put to them without previous warning, or opportunity to compare notes as to their communications with Secretariate subordinates, something might be elicited. It is little likely, however, for doubtless they have long since received their cue from Baroda, as did Dajee Sattiah, though the minister had only one night's start of me; the Bombay post, with my letter to Malet, having gone by the regular post the morning after the letters were seized, his private express having been started off the night of the seizure."

35. In the official enclosure to this letter, I expressed myself as follows:—"In reply to your letter, dated 24th instant, I have the honour to state such particulars as are in my power, relative to the suspected channels of information which I believe to have been obtained from Poonah; but I am unable to specify the precise nature of that information, no letter from the suspected parties at Poonah having fallen into my hands."

"The party at Poonah who is supposed to obtain information from some underling of the Secretariate at Poonah, is one Bhickoba Bhow, formerly a carkoon of the Shastree family, but for some time past employed in the Nana Furnavise Warra at Poonah, over the Paishwa's Dufter, and an old ally, if not also a relation of the Sattiahs. You will find this allusion to him in the enclosure to No. 8 of the accompaniments to my report to the Chief Secretary: 'I wrote to Bhickoba Bhow something in private, but Bappoo does not know what it is; all that he knows is that a correspondence passed between us.'"

"This

"This correspondence between Dajee Dondoo and Bhikoba is supposed to have reference to the pretended arrangements of the former, by which is to be obtained from Government the relinquishment of the Guzerat Horse, alluded to in the 18th para. of my report, in the expectation of effecting which, it is believed that the minister has supplied considerable funds, which the parties in Bombay and Poonah pretend to have expended to promote that object."

"The enclosure to Narayn Row's letter * * * was written by his cousin Abba Kaley (in the service of the minister), to Narayen Row's brother, Gunesh Punt Kaley, Sheristedar in the Revenue Commissioner's office, but (containing) nothing to the address of Bhickoba Bhow, the party suspected to be in communication with the Secretariate, was returned to him, as stated in my report. Shortly after his departure, the karkoon who had read the letters, having mentioned that it contained allusions to the Guzerat Horse intrigue, I sent to Narayen Row to request that he would bring back the letter next morning, which, however, he evaded doing, under pretence that he had returned it to his cousin."

"The day after the seizure of the letters, I received information of what had passed at the minister's house the night before, the substance of which I have the honour to enclose, wherefrom the purport of the letter referred to will be understood."

"Thus it appears that two channels of information have been maintained by the minister, the one, through the Sattiah brothers, with the Bombay Secretariate; the other, through the Kaley family, and Bhickoba Bhow, with the Poonah Secretariate. How long the latter branch has been organised I cannot say, but the former appears to have been established under Nursoo Punt's auspices, from about the time of his appointment as native agent, in 1844, as may be inferred from the accompanying translation of a letter from Wamun Row Sattiah, written from Bombay just before Nursoo's arrival at Baroda, shortly after which Wamun Row took up the position here, which he has since maintained; and from that time to this, every succeeding Resident has complained of the betrayal of the secret correspondence of Government."

"That letter shows the good understanding with Wamun Row Sattiah, under which Nursoo Punt entered upon his duties at Baroda, and this I know has ever since been maintained; while assuredly he has faithfully fulfilled his pledge 'outwardly' to conform to the wishes of his superiors, but 'inwardly' to forward the interests of others."*

* *Vide* Wamun Row's letter here referred to.

36. But though, under the peculiar difficulties of my position, I was not able, single handed, to search out for Government the traitors in their Bombay or Poonah offices, I had strong hopes that, if aided by Government, I might be in a position to do so. I accordingly, in the 4th para. of the letter under notice, thus expressed myself: "I believe Govind Row Roria (the vakeel lately deputed to Bombay) knows much more regarding this matter than he chose to avow in the deposition forwarded with my report; he not daring to speak out in consequence of being under the surveillance of the minister, whose confidential agent was present while he was under examination. In fact, no Guicowar subject would dare to give evidence on this or any other matter in which the minister is concerned,—so dreaded is he by all classes,—except under our guarantee against oppression. Unless, therefore, I am authorised by Government to give such guarantee, any inquiry at Baroda will be useless."

37. And again, on the 8th November, I wrote as follows: "In my letter in the Secret Department, dated 13th October, para. 18, I alluded to certain intrigues lately carried on in Bombay, with a view to drawing his Highness the Guicowar into the expenditure of money, under the pretence of effecting the abolition of the Guzerat Irregular Horse, a repetition, in fact, of the Dhackjee Dadajee intrigue, which caused such scandal in 1842-43, and I therein referred to the examination of Govind Row Roria, who, though denying that he had any concern in the matter, admitted that he had been invited to enter into the business by Anna Sastree, one of the parties concerned."

"I had reason to suspect that Govind Row did not disclose all he knew on that occasion, deterred from doing so by dread of the minister, whose confidential jassoos stood by his side while under examination. This is the only time I have seen Govind Row since his return from Bombay about two months ago, during which period he has been kept under strict surveillance, and prohibited from

coming to the Residency, under the apprehension of the minister that he would make disclosures regarding this intrigue."

"I have received a verbal message from Govind Row, through a person in whom he has confidence, intimating that he will make a full disclosure, and furnish irrefragable proofs of the truth of what he has to disclose, provided I will pledge that he shall be preserved from persecution in consequence thereof."

"Believing, as I do, that by this means the real nature of the transaction, and full exposure of the parties concerned, will be brought to light, and thereby enable Government to take more effectual steps to prevent a recurrence of these dishonouring intrigues than was in their power on the former occasion, I beg leave respectfully to submit to the Right honourable the Governor in Council my recommendation, that I be empowered to summon Govind Row Roria to the Residency, and give to him the same assurance as the Resident was directed by Government, under date the 31st December 1845, No. 866, to hold out to Ballajee Punt, under similar circumstances, *i. e.*, 'that if he make a full disclosure, he will entitle himself to the full protection and countenance of the British Government, so far that it may insist that he shall not be unjustly treated.'"

38. On the 17th November, I was honoured with a reply to my letter of the 31st October. I was informed, that "every possible exertion" was being made in Bombay "to detect the parties who had been betraying the correspondence and divulging the proceedings of Government;" and that the conduct of the persons alluded to by me, who were in the service of Government, would be closely watched. But no notice was taken of what I had said in my letter of the 31st October, to the effect that valuable information might be obtained, if I were authorised to grant a guarantee to Govind Row Roria against oppression, in consequence of any revelations he might make to me. And equally ignored was my letter of the 8th November, in which I had intimated that Govind Row Roria "had undertaken to make a full disclosure, and furnish irrefragable proofs of the truth of what he has to disclose, provided I would pledge that he should be preserved from persecution in consequence thereof;" given a precedent for the communication of such a pledge; and earnestly entreated to be allowed to do so, with a view to procure for Government that information which they had, through Mr. Secretary Goldsmid, expressed so strong an anxiety to obtain.

39. Not only did the Chief Secretary ignore all that I had written on this subject, but he was instructed by Government to say, that, "as no discussion in reference to the maintenance of the Guzerat Horse had taken place during the Governor's recent residence at Poonah, it was impossible that information on that subject could have been communicated from thence."

40. I will only observe, that though no genuine information could have been obtained from Poonah, in reference to discussions that never took place, the mere fact of there having been no discussion tends not in the slightest degree to invalidate the belief that khutput was being made at Poonah, that intrigues were carried on, and money expended, under the plea of the promotion of the Guicowar cause.

41. How, to what extent, under what plea, or by what machinery this intrigue was carried on, to the delusion and plunder of the Guicowar, cannot now be ascertained; though these points would probably have been fully illustrated had Government given me a prompt authorisation to act on the precedent I adduced to them. And probably it would have been discovered that the names of high officials were made use of, as the names of Mr. Malet and myself had been, at an earlier date.

42. On the 23d November, Mr. Malet was instructed to acknowledge my letter of the 8th idem; but only to inform me that it was not deemed "advisable to follow the course I had recommended, neither the data on which Government should proceed, nor the results that would arise from its proceedings, being sufficiently apparent." The letter proceeded:

"You are at the same time at liberty to pursue, in this instance, your own inquiries at Baroda, by every legal means in your power, but Government do not deem it expedient to comply with your request for a guarantee to the individual alluded to in your letter."

"I am desired to request, that you will furnish fuller information relative to
the

the 'dishonorable intrigues' which you state, in your letter under reply, you are seeking to discover."

43. The permission to pursue inquiries which I had expressed my belief would be utterly unavailing, unless allowed to give the guarantee which I was emphatically prohibited from affording, appeared to me one of which it was impossible to take advantage. Without the proposed guarantee, Govind Row Roria could not be expected to make his disclosures; and all hope of eliciting the truth in regard to the secret correspondence carried on by the Sattiah brotherhood, had apparently vanished, when, toward the end of November, a person calling himself Bhasker Bhae Sett presented himself at the Residency, and stated that he had come from the Presidency to make over to me an original letter, addressed by one Venaik Wamun Sattia, at Baroda, to Dajee Dondoo Sattia, at Bombay. He further represented that he had obtained the letter from a party to whom it had been entrusted for delivery to Dajee Dondoo; that it had already been translated by order of the Chief Secretary, in whose hands it had remained for a considerable period, but who declined to make any legal use of it, as its author was not at hand to acknowledge its authenticity, which should be ascertained by me at Baroda.

44. I concluded, of course, that—the context of the letters so clearly showing its authenticity—Mr. Malet had considered an attested copy sufficient for all purposes, and had returned the original to the bearer, who had brought it to me in expectation of reward; nevertheless, as the document so entirely confirmed the opinions I had expressed in my letter of the 13th October, as to the guilt of the Sattiah brothers, I deemed it right to summon and question both the person most interested in sending the information it contained, and the supposed writer.

45. Wamun Row at first denied all knowledge of the handwriting, but upon being shown the signature was constrained to admit that the letter was written by Venaik Wamun Sattia, though he persisted in maintaining that he had not been a party to the framing of the instructions so conveyed to his brother Dajee.

46. Venaek Wamun could not deny having written the letter, but disavowed all collusion with Wamun Row, and endeavoured to make it appear to have been penned as a news letter; but the explicit allusion contained in the document itself to two other letters previously dispatched for the purpose of enabling "you (Dajee) to make your reply to those questions" (that might be put by Government respecting the intercepted "minutes," &c.), and which letters, "if not yet received," Dajee "was to await," evading previous examinations "by excuses of indisposition," placed its meaning and object beyond a doubt, and "was all," as I stated in my report to the Chief Secretary, under date the 27th November, "that was required, if further evidence was required, to prove beyond the possibility of cavil, that the brothers Sattia were the channels through which the secret records of Government were obtained for the Baroda minister."

47. On the 10th December, Mr. Malet was directed to inform me, that "in conformity with instructions from the Right honourable the Governor in Council," he "had returned to Bhasker Bhae Sett the letter subsequently delivered," and that "no direction or authority was given to this person by Government, or by myself personally, to proceed to Baroda, or to communicate with you (me) on the subject thereof."

48. But Mr. Malet was not directed otherwise to notice the purport and subject of my letter.

Section III.

The Discovery of a Note purporting to convict the Guicowar's Chief Minister of Treason, and of certain Guzerattee Translations of the "Minutes" of Sir G. Clerk's Council.

1. THE individual from whom both these documents were obtained, had formerly been a confidential agent during many years of the minister, Bhau Tambekur, but having fallen into disfavour he was discarded, and retained certain

secret papers, to be used as occasion should require, to the disadvantage of his former employer.

2. I first became aware of the existence of the treasonable note in August last, when Mr. Grant, judge of the Sudder Adawlut, at the request of some party in Bombay, forwarded it to me.

3. As the note professed to have been written by the minister to the Guicowar's brother and the heir to the Gadee Appa Sahib, I considered that it might possibly be a forgery intended to excite distrust and enmity between the brothers, and I therefore retained it uncommented upon until his Highness's Vakeel, Govind Row Roria, then expected from Bombay, should arrive at Baroda, intending to desire him, as he was cognizant of the delivery of the note into Mr. Grant's hand, "to return it to the party from whom it was received, with an intimation that it was a matter in which I could have no concern, and that if he thought it necessary to communicate the note to his Highness, he must do so without my intervention or advice."

4. But the Vakeel having been disgraced upon his return, was prevented appearing at the Residency. And, in the meantime, I received a confidential yad from his Highness, requesting that I would forward to him the "note;" and a second yad of the same nature, requesting me "to obtain from Mr. Grant, through Government, information of the person from whom the note had been received."

5. Having reported, under date the 12th September, the above proceedings to Government, the Chief Secretary was directed to desire that I would immediately forward an attested copy, accompanied by a translation of the "Mahratta note." And I accompanied my reply, dated 27th September, with the following translation.

"Shree."

"Tambekur petitions to the effect. Regarding what has passed between us, arrangements are being made to carry out what occurred to Futteh Sing Mahraraj. You wait a little. On this subject I have sworn by Heerumbachee. Be this known to you."

6. On the 14th November, the Chief Secretary was directed to inform me, that "the note was taken to Mr. Grant by Bulwant Row Esswent, a karbarey in the employment of Venaik Moreshwar Fudkey, who states that it had been received from a person residing at Baroda, named Succaram Suddaseo, and had been sent to him with a view to Mr. Grant's opinion being obtained, as to the advisability of its being made use of for his own justification by the said Venaik Moreshwar, who had been charged by the alleged writer with the very crime which the note, if authentic, brought home to the accused."

7. Mr. Malet was further directed to authorise me, "provided no good reason exist against it, to impart personally to the Guicowar alone, the channel through which Mr. Grant had received the letter, and the name of the person from whom it came," and to request that, "should reason exist to render this measure objectionable," I would "report thereon to Government for further instructions."

8. Availing myself of the latitude thus allowed to me, I informed the Chief Secretary, under date the 22d November, that "the extreme anxiety evinced by the minister, when the fact of the note having come into my possession first transpired, tended greatly to remove the suspicion I had at first entertained as to its authenticity, and his strenuous endeavours to get up false evidence to fix the forgery on Venaik Moreshwar, satisfied me that the note was really written by the Bhow."

9. I further stated that, at the petition of the Fudkey himself, I had taken the depositions of the parties from whom he had received the note; that one (Amrut-row) of these parties was formerly the confidant of the minister, and that the testimony of both corroborated the conclusion that the minister was its author.

10. In the same letter, I brought to the recollection of Government, that "the minister was more than suspected of being a principal instigator of certain false charges against Venaik Moreshwar Fudkey, lately investigated by the political agent of the Rewa Kanta, and which that officer had pronounced to be the

result

result of another foul conspiracy." And I recapitulated how, at the very time to which the note itself referred, "the minister was suspected by his Highness of intriguing with his brothers against him, suspicions which he (the minister) averted by artfully turning them against Venaik Moreshwar, whose persecutions consequent thereupon have been detailed in Section II. Part II. of the Report on Khutput, &c." And, in conclusion, I expressed my belief, that "his Lordship would not be disposed to permit the further investigation of this matter while Bhow Tambekur remains in power."

11. This letter, I have mentioned, was dated the 22d November. On the 27th, the inquiries which I had been invited to pursue, in reference to the improper relations between the Durbar and Government officials, were effectually put a stop to by the letter intimating to me my removal from office, which forms the subject of my last supplementary section.

12. But although my investigations were thus summarily ended, the minister continued his endeavours to fix the authenticity of the note upon Moreshwar Fudkey. He had a short time before, with this view, sent a verbal message by Sumbooram Kotwal requesting Baba Fudkey's presence at the Durbar, a request which I was only saved from complying with by receiving timely intimation that the object of the message was the seizure of the Baba's person.

13. The minister thus baffled, and having, in the meantime, obtained intelligence which led him to anticipate my removal, proceeded to those offensive measures about to be detailed in the conclusion of my next section.

14. Upon the occasion of my taking the deposition of Amrutrow, the minister's former confidant, he stated that he possessed, and would furnish, other proofs of the betrayal of Government's secret deliberations to "the minister," but fearful of the latter's vengeance on account of the delivery of the "note," he remained many days concealed ere he could find opportunity of gaining access to his private papers in the city.

15. Having accomplished this, he presented certain Guzerattee translations of the "minutes of Sir G. Clerk and his Council," upon the subject of "Govindrow Guicowar's claim against the Durbar for the property of his adoptive mother Radabae," being a case wherein the Governor had differed in opinion from his Council, and reference respecting which had been made to the Court of Directors.

16. Upon referring to my office records, I found "that 29 letters, reports, and despatches, extending through the years 1847, 48, 49, and 50, some of great length, with voluminous accompaniments," had passed between Government and the Durbar relative to this case, and, when handing up the "minutes" to the Chief Secretary, under date the 21st November, I exhibited them as "affording a strong illustration of the embarrassments and injury to our interests, caused by the systematic betrayal of the secret deliberations of Government to the Baroda Durbar, especially when, as in this case, the Governor was opposed in opinion to both his civil colleagues. The knowledge," I continued, "of this fact it was, which encouraged the Durbar so pertinaciously to oppose the decisions of Government, and of the Court of Directors, for a period of three years subsequent to my communicating to his Highness the sentiments of Government expressed in your despatch, No. 2,325, dated 24th June 1847, which I presume to have been framed on the discussions of which these minutes are a portion only. Had not the Durbar become thus informed of the diversity of opinion in the Government, and especially that Sir G. Clerk upheld the Guicowar's interests in the question, the Resident would have had little difficulty in obtaining his Highness's acquiescence to a matter of no great importance, which, as it was, caused much bad feeling, and a lengthened correspondence, more than would fill a printed folio volume, ere this dispute was brought to conclusion."

17. In the early portion of these supplementary sections, I showed that a certain Wamun Row Sattia was the agent through whom the minister obtained illicit information from the Bombay Secretariate, and this identical person was the party indicated as having been the writer of these Guzerattee translations, I therefore summoned Wamun Row, who denied having written them, but admitted four other documents to be his autograph, and which, upon being compared with

the Guzerattee minutes, were evidently in one and the same handwriting; moreover, the minister's ex-confidant maintained upon oath, confronted with Wamun Row, that the latter "had received 171 rupees per mensem, to obtain information from the kamdars of the Secretariate as to what took place every day," adding, that "for one or two months the money was paid to another party," but that "afterwards Wamun Row Sattiah regularly received it." He also deposed, that the minister had deputed on one occasion Abba Kaley to Bombay, "to obtain information from the Council, and other kamdars in his favour, and gave him 3,000 rupees for expenses."

Section IV.

3. The discovery of certain documents written by a Soucar confidant of Bhow Tambekur, his Highness the Guicowar's chief minister.

4. The policy of the Durbar, as evincing the intimate supervision exercised by the chief minister over the secret deliberations of Government.

1st. As this policy on the part of the Durbar was exhibited in connexion with my proceedings consequent upon the discovery of the Soucar's documents, and evinced not only the minister's early and correct intelligence of what was passing in the Council-hall at Bombay, but also his consciousness of guilt in respect of the charges against him involved in my investigations, I shall here trace the progress of both in combination; shall show that the yads received from his Highness were an index to the nature of the communications *en route* to me from the Secretariate; and that I anticipated my approaching removal from office by observing the conduct and language of the minister.

2d. The second of these supplementary sections traced the windings of one channel through which Bhow Tambekur obtained illicit information from the Secretariate.

3d. That that channel was not an imaginary one, or the intelligence which passed through it obtained from any adversary of the parties implicated, with a view to the injury of these latter, is proved, firstly, by the interception of the letters, containing the intelligence, in their transit through the post-office; secondly, by the acknowledgment of Wamun Row, and his intermediate agents, that the letters were to their address, and had not been tampered with; thirdly, by the fact that the letters contained transcript of recent minutes of Council, as well as of a late despatch from myself to the Chief Secretary; fourthly, by the interception of the letter penned by Venaik Wamun Row, conveying instructions to Wamun Row Sattiah's brother correspondent, as to the manner in which he should evade present examination, and referring to other letters, wherein the answer he should give, when examined, had been detailed; fifthly, by the corroborative evidence given upon oath, and in connexion with an entirely different matter, to the effect that Wamun Row Sattiah was, and had long been, a paid agent of the minister, for the transmission of intelligence from the Secretariate; and that Government are convinced that corruption existed in their Secretariate is evident from their dismissal of at least one subordinate clerk from that office.

4. It would appear, however, that, Mahratta like, Bhow Tambekur considered it desirable to maintain two channels of intelligence, and to place both, when requisite, in communication with other parties of reference; viz., the Succaram alluded to in my sketch of the intercepted letters, and Pandoba Ramchunder, referred to in the postscript to my letter, dated 2d December, No. 221 A.

5. The minister's second, or other channel of communication, was through his Soucar confidant, Nurbeyram Koobair, who, in correspondence with a nephew, goomashta at Bombay, would appear to have been thus employed for a considerable period.

6. Many of the papers, accumulated in the course of this correspondence, fell into my hands; I therefore summoned both nephew (then at Baroda) and uncle; the latter most reluctantly, and, in the course of three successive examinations, acknowledged the more important letters to be his autograph; and among these were some addressed to the nephew, having reference to the abolition of the

Guzerat Irregular Horse, and penned toward the close of the year 1849, and early in 1850.

7. These documents conveyed instructions to the nephew, then in Bombay, to effect the said abolition by means of bribing the Chief Secretary to the amount of 10,000 rupees, and myself to the amount of 50,000 rupees.*

8. The context went to show that his Highness was not cognizant of the scheme, and the minister was more than once quoted as saying, that until it should be effected, he could not venture to mention its existence to the Maharaj.

9. But the minister himself was frequently either directly named, or obviously alluded to, as being the authority for carrying out the intrigue. And the depositions of both the Soucar and his nephew are to the effect, that the letters written by the former, or at his dictation, were penned "after consulting with the Bhaw Sahib" (the minister), and that the purport of the replies received to such communications "were told" to him.

10. Moreover, the internal evidence of all the letters, wherein the abolition of the Irregular Horse is alluded to, is of so circumstantial and corroborative a nature as to preclude the possibility of any doubt as to the fact of the intrigue having been attempted. In illustration of such evidence, I shall here subjoin certain letters of the uncle's, and annex his and his nephew's explanations thereof:

Letter, dated 5th February 1850.—"You have written that you had made arrangements regarding the former case, but that it was necessary to give Mr. Malet 10,000 rupees beforehand; that Succaram Dada was of the same opinion. You then said, that after our business was done, the money would be paid; (that) on this, Succaram said, that the Sahib logues (European gentlemen) have no faith in us natives, and that if you wished he would take you to the Sahib; that Succaram has written to me in another letter, saying there is no fear in paying the amount. If the business did not succeed the money would be paid back; that if the Sahib did not give the money back, he (Succaram) would refund the money. All that you have written is good. It is true, that without paying the money, the business would not be done; even when we go to worship an idol, we make some little offering; this is a fact. But there is no fear about that. We have made an arrangement about this with our karbarry (the minister), who had before clearly said, that even if we succeed in a trifling matter, he would bring it to the notice of the Sirkar, after which he would ask for the money. Succaram then said, very good, and to give him a yad of the business to be done, and that he will get one of them done; that at present he did not require the cash. It is now one and a half months since you went to Bombay, and not even a trifling business has been done. Bhow Sahib (the minister), the person with whom we have to do business, is at Surat. Be it known to you, that though the money is required, yet unless the business is done it cannot be paid. You think that by paying the money you gain a patronage, but after paying the money dissatisfaction takes place. If the money is to be paid at all, a receipt should be taken, after the sowcarry (merchant's) rule, and then the amount should be paid without fear; because, when the business is finished, we can give back the receipt. If Bhow Sahib has arrived in Bombay, and if, after consulting him, the money is to be paid, the same should be given willingly; otherwise how could we take upon ourselves to pay it?"

* As further proof of the fact, that the pretended abolition of the Guzerat horse has been a fertile source of intrigue, and also as demonstrative of the strong reasons I had for recommending Government to hold out a guarantee of personal safety to Govindrow Roria, I will here quote the first paragraph of a Mahratta yad, containing altogether five paragraphs, detailing the rewards to be given, in event of successful negotiations to some now unknown agent employed in Bombay, but whose name and proceedings Govindrow was fully informed of, and ready to divulge upon such guarantee being granted.

"In the sixth paragraph* it is stated, that if the payment of three lakhs are remitted" (the annual charge of the Guzerat Horse) "by the British Government, you will receive one year's payment of three lakhs of rupees."

This intrigue, although not dwelt upon in the text, was duly reported to Government, and finally summarized by me under date the 13th December.

* Of a separate agreement.

it? Bombay is a place where there are lots of persons to wheedle you; but if at this time the money is once given, it will never come back, and the people will call us fools, and say that without making a bundabust (arrangement) with the Government, why should we give the money beforehand? I have a thousand times told you that the money cannot be given beforehand. If the European gentlemen have no trust in us, a deed in writing may be given, in which it should be stated that when the business is done, the money would be paid according to agreement."

11. A letter of an earlier date ran thus:—

"You will learn the whole from the enclosed letter. You state that Succaram had been to Captain Macdonald, who told you that that person (Colonel Outram) will land on the 5th January. Very good. You further state that, please 'Shree' [illegible], the contemplated business will be done; this I have understood. In the yad which you obtained from [illegible], if we succeed in one of the points, it will be a great achievement. As that person is to land on the 5th, the first thing is to make a thorough arrangement with him, and you should see him on his return here, or it would be better if you come along with him. If arrangements can be made according to what Succaram recommended, the same should be done. * * * When Permanund (the writer's son) went there (to the minister), he was asked whether any letters have arrived from Bhanabhae (the nephew), and his reply was, that a letter had been received announcing his arrival, and no other. Succaram said, that the feast was ready, and only waiting for persons 'to sit down.' This I have understood; but the business should be done carefully, and if you will write that you have succeeded in it, I shall then be able to go there (to the minister). This has been written; after Succaram has read it, destroy it."

12. A third, and intermediate letter, ran thus:—

"From the enclosed you will know the whole. You should have the business therein mentioned carefully done. When Turwarry and Hur Govind will be sent with the message from Bhow Sahib (the minister), I will write you in detail. Should Bhow Sahib take Turwarry and Hur Govind with him to Broach, you will be written to in detail from thence, and you should do the business quickly, because it is Sircar's (Guicowar Government) business, and we should not be made liars. Further, regarding a yad of three paras., you used to write daily about it; but I have written to you about the two paras., (respecting the three paras. which relate to the Rissallah Goozeratte Irregular Horse). I have mentioned the year 1839-40. On the 30th, I personally went to the Bhow Sahib (the minister), and mentioned to him about this dakla (paper), and he said that he had given a copy of it, transcribed by Ana Kalay. I then said that the two daklas which were furnished I had sent to Bombay, and that of the Rissallah remains to be sent. On this Bhow Sahib (the minister) got Ana Kalay to copy it, which I sent to you yesterday. When I went to Bhow Sahib on the 30th, I told him that as the Mahraj is going to Bombay, is the business to go on there or not, for which he had sent Bhanabhae (the nephew) to that place? He replied that it should be carried on with zeal; therefore you should make pukka arrangements of the business entrusted to you."

13. The above letters have been acknowledged by their writer; that first quoted is thus explained in the nephew's deposition, to whom the letters were addressed:—

"When Ana Kalay (a person subsequently deputed by the minister to forward the same intrigue) arrived (at Bombay), I went to him, and he asked me what arrangement I had made about the Rissalla (Guzerat Irregular Horse) and the other five cases. I replied that an arrangement was made, through Succaram, to do the business; but he wanted beforehand 10,000 rupees to pay to Mr. Malet; that if this sum was paid, an arrangement would be effected. On this Ana desired that Succaram should be brought to him. On this I took him to Ana; the latter questioned Succaram on the subject, who replied that he had told me (the nephew) that if the money be paid beforehand, he would effect an arrangement with Mr. Malet; that Mr. Malet had no faith in the Guzeratte people."

14. The purport of the second letter was thus explained by the uncle (the writer) in his deposition :—

“When Succaram was at Baroda, he, after entering into an arrangement with me, took a yad of two or four cases to be done. Afterwards he told my Bhanabhae (the nephew) that Captain Macdonald is friendly with Colonel Outram; that the latter will land from the steamer on the 5th January, and that he would make a pukka arrangement with the Colonel. And from what Succaram told him, Bhanabhae (the nephew) wrote to me. On this I replied in the manner above stated.”

15. The third, and last letter quoted above, was penned, the uncle states, in his deposition, in answer to some communication upon its subject received from his nephew :—

“Agreeably to what Bhanabhae wrote, I made inquiries, and obtained the dakla (copies of papers) from the Guicowar Sirkar, and wrote according to what Bhow Sahib (the minister) told me.”

16. The above letters may be further explained by fixing the dates of the events alluded to as those about to take place. Thus the phrases, “If the Bhow Sahib (the minister) take Turwarry and Hur Govind to Broach,” and, “If the Bhawo Sahib has arrived in Bombay,” evidently alluded to the minister’s intended journey to the Presidency, in January 1850, and in attendance on his Highness the Guicowar.”*

17. Again, the expression, “That person will land on the 5th January,” alluded to my expected arrival by the overland mail of January 1850. But I was delayed until a month later; and it is to the circumstance of his Highness’s visit to the Presidency immediately before my landing, that I attribute the fact of the 50,000 rupees† not having been stated as paid to me, as was the 10,000 rupees so stated in regard to Mr. Malet.

† Elsewhere alluded to in the Soucar’s correspondence.

18. But the context of all the letters traced, far more minutely than I have been able to show in the foregoing extract, the details of the intrigue.

19. In submitting, under date the 23d November, such of the Soucar’s papers as had been translated, together with his and his nephew’s depositions, I brought under the notice of his Lordship in Council, that these documents “throw considerable light on the pretended negotiations in Bombay for the abolition of the Guzerat Irregular Horse.” For Mr. Goldsmid, in his despatch dated 17 November had been directed to inform me “that it does appear that any discussion connected with the subject of the continued maintenance by the Guicowar of the Guzerat Irregular Horse, took place during any portion of the Right honourable the Governor’s recent residence at Poonah, and therefore, that no information on that subject could have been communicated from thence.”

20. And the correspondence of the Soucar’s proved that an attempt might “be made to defraud his Highness the Guicowar of large sums of money,” under pretence that such amounts had been expended in bribing high European officials, not only at a time when no discussion on the point to be thus gained was pending in the Council chamber, but also, while the maligned officials were in ignorance of the committal of the crime in which they were alleged participators.

21. As I had reason to believe that Govind Row Roria had in his power to make serious disclosures respecting this intrigue also, I concluded my above quoted letter by again requesting authority to hold out the guarantee to that individual, upon his making full disclosures, as thereby my “further inquiries would be greatly facilitated.”

22. In the meantime I continued the examination of the nephew gomashita, long protracted through his obstinate persistence in refusing to answer questions. In order, however, to elicit the whole truth, it was necessary to confront this person with the other parties implicated in the intrigue, and before they should find opportunity of consulting together.

23. With

* The Bhow did not proceed to the Presidency. He accompanied his Highness only as far as Broach, and then returned to Baroda.

23. With this view, I detained the nephew at the Residency, and despatched a yad to his Highness, requesting the attendance of the required witnesses. And it was at and after this stage of the proceedings that the minister's conduct most glaringly exhibited his consciousness of guilt in the matter under investigation, as well as his foreknowledge that events were about to happen, which for a time, at least, would shield him from just punishment.

24. This conduct will be most clearly and briefly summarized by quoting from my despatch to the Chief Secretary, under date 2 December (No. 221 B.), and referring to the correspondence which had passed between the Durbar and myself. I therein stated as follows:—

“In prosecution of this inquiry I summoned witnesses in the mode usually adopted, and of late invariably followed; they were withheld by his Highness on plea of my nonstatement of the specific object for which they were required, an obviously unnecessary objection, since the subject of my inquiry was well known; and the yad conveying the objection was not delivered until 24 hours after the summons had been issued, thus affording the implicated parties an interval of time wherein to ascertain the extent of the disclosures already made, and the nature of the papers in my possession.”

“Having, in reply, stated in general terms the purport of my investigation, the witnesses were further withheld, on plea that Baba Fudkey had fabricated the charge, and should, therefore, be removed to a distance, prior to the attendance of the persons summoned; but his Highness had previously been informed that the investigation was founded on letters written by the minister's own creatures, and in the penning of which Baba Fudkey could not possibly have been a party, since their authenticity had been admitted, as well by their receiver as by their writer.”

“His Highness then urged that an inquiry was about to be instituted into the ‘chit’ (treasonable note) case, pending which Baba Fudkey should be compelled to absent himself under security; subsequently a counter charge was preferred against the Baba, but which, even if well founded, could afford no valid plea for evading a scrutiny already commenced, and into an entirely different matter. Finally, after a lapse of six days, it was intimated that the parties would be sent, in terms, however, which precluded my receiving them; especially as I had, in the meantime, discovered ground for supposing that they had effected a communication with the witness intended to confront them.”

25. I further stated, in the letter now under notice, that “the spirit of his Highness's conversation, ‘at a friendly interview’ which had taken place between us on the evening of the 27th ultimo, promised to bring the present discussion to a friendly conclusion;” and that I could only account for “his Highness's extraordinary departure, on the following day, from promises then made, by the supposition that there must have been some truth in the rumour which reached me next morning, to the effect that the minister had received during the night, from his agents at Bombay, assurances, which it was represented had elated him to an extraordinary degree, and to which I attribute the successful exertion of his influence to induce his Highness to adopt the unsatisfactory course he subsequently followed.”

26. That course was, to forward through me, on the day following the evening of the interview, a khureeta to his Lordship in Council, complaining of Baba Fudkey as an enemy of his Highness's Government; and concluding as follows:—

“The Bombay Government, with a view to enhance the friendship existing between the two Governments, * * * appointed Colonel James Outram Resident. Such having been communicated to the Durbar, Baba Fudkey, an enemy of this Government, being employed in the business of the Sirkar at the Residency, is a source of regret to this Government. It is therefore with the greatest respect I beg to petition the Bombay Government, that, after taking the above into consideration, arrangements will be made to prevent further annoyance to this Government.”

27. With respect to this assertion and request, on the part of his Highness, I expressed myself to the effect, that although, “under present circumstances, his Lordship in Council might deem it intrusive were I to submit, that not only this appeal from his Highness, but the policy of the Durbar, as connected with

with my last investigation, has throughout been in exact conformity with, and immediately subsequent to, the secret deliberations of Government. I shall therefore confine myself to the respectful expression of my firm belief, that the minister, exerting the influence of a strong mind over a weak one immediately under its control, has paraded before his prince the disfavour with which I am regarded by my Government; has excited his fears, by misrepresenting their cause as common, and thus led him to believe that the threats held out to the late Guicowar, in the event of recurrence to the practices of which the minister is accused,* would now be enforced, were he (the minister) convicted; and has by such means persuaded his Highness to the tortuous course he has pursued,— a course which could only have been adopted with a wish to defeat the inquiry upon which I was engaged; for the minister well knew that my native agent not understanding Soucarry writing, and all my other native subordinates being under his influence, there remained not a man on my establishment who had the ability, if the honesty, to give me the true meaning of the papers. It was an object with him, therefore, to exclude the Baba from the inquiry.” * * *

* *Vide* concluding section.

“The concluding assertion in the yad, that Baba Fudkey is an enemy of his Highness’s Government, is at variance with an opinion expressed by his Highness shortly before Mr. Grant’s late visit to this place in March last, on the faith of which he (the Baba) was induced to return to Baroda, when my avowed disapprobation of Baba Fudkey’s being employed, in any capacity whatever, under the Durbar, alone prevented his Highness calling him to his ministry.”

28. When it is recollected that the date upon which the above khereeta was forwarded, was that following the one upon which Government despatched the letter communicating to me his Lordship in Council’s resolve to remove me from office, and immediately after the receipt by the minister of “assurances” from Bombay, as I learned from entirely different sources, “which had elated him to an extraordinary degree;” and, moreover, when I mention that, at the very time I was being thwarted by the Durbar, in respect of the non-attendance of witnesses, Government were forwarding to me a letter censuring my conduct in the case of Mr. Andrews; the only conclusion to be drawn is, that, in accordance with his usual practice, the minister had contrived to obtain information as to the tendency of the deliberations of his Lordship in Council, and, consequently, to anticipate the nature of the Government despatches ere yet the latter had left the Secretariat.

29. Nor has the minister’s subsequent conduct tended otherwise than to confirm such a belief; for although up to this date my removal from office is professedly not made public, he has openly boasted of the fact, and committed acts of oppression, which I thus enumerated to Mr. Malet, in the concluding paragraph of my letter already quoted: “They are, the rigorous imprisonment of the party through whom the money was paid, for the purpose of compelling him to substitute proofs in his books against Govind Row, in lieu of those they contain against himself; secondly, the close confinement, under strict supervision, of Govind Row, with intent to prevent his sending me the proofs he possesses; thirdly, harsh treatment of this individual’s mistress, to induce her to divulge where his papers are concealed; and fourthly, imprisonment, or prohibition to appear at the Residency, under pain of heavy fine and imprisonment to other parties able to give inculpatory evidence.

“That such acts are still in progress is proved by the transference to others of the districts and Pagah hitherto in charge of Govind Row, accompanied by his own public disgrace; and I am morally convinced that unless the Honourable Court’s opinion, as above stated, be enforced, they will eventually lead to the destruction of the already deeply injured Baba Fudkey.”

30. On the 16th December, the Chief Secretary acknowledged my letter, dated 23d November, handing up the Nurbayram papers, but took no notice of my subsequent letter on the same subject, dated 2 December (No. 221 A.), nor of my letter of the same date (No. 221 B.), transmitting my correspondence with the Durbar.

31. With reference to the recommendation I had made, in my letter of the 23d November, that his Highness should be called upon to take security from the minister, to prevent his departure from Baroda, pending the investigations in which he was implicated (he having been reported to have taken up large

sums of money, in his first alarm, with the intention of leaving Baroda), Mr. Malet was instructed to inform me that "it does not appear to the Right honourable the Governor in Council that there is anything sufficiently tangible in the documents therewith sent, against Bhow Tambekur, the Guicowar minister, to necessitate the demand, as you suggest, from his Highness's Durbar, of security being taken from that individual, to prevent his for the present quitting Baroda, and that, therefore, Government is precluded from granting you authority to make this requisition."

32. Under the circumstance of the sudden close which had, in the interim, been put to my investigations, and the elation of the minister consequent on the assurances he had received from his agents in Bombay, that individual had no longer, of course, any occasion to depart.

33. In allusion to the 3d para. of my letter of the 23d November, in which I had suggested "the immediate examination of Succaram, before he learns the nature and extent of the disclosures at Baroda," by which, probably, "a full confession may be obtained from him, in the supposition that all has been here (at Baroda) divulged, and such information be thus afforded as may enable you to ascertain the other parties concerned, by the simultaneous arrest and separate examination of whom the whole transaction may, I hope, be laid bare;" and also that other persons whom "I suspect to be deeply implicated," and whom I named, "should likewise be summoned, from whose separate examination, under precaution against their communicating with each other," I thought "much might be elicited;" the Chief Secretary intimated to me, "that a person named Succaram Ragoonath," who there appears reason to believe is identical with "Succaram Dada," has been traced out in Bombay. This individual, on being examined before me, has admitted that he is acquainted with some of the parties alluded to in your letter, but denies any connexion whatever with the intrigues referred to by you;" and that "The Governor in Council is not disposed to adopt towards this person the course suggested by you, nor to authorise, as you recommend, the simultaneous arrest of the other parties in Bombay, within the jurisdiction of the Supreme Court, with the view of ascertaining what parties are really concerned in these intrigues."

34. Succaram's proceedings are too frequently and circumstantially detailed in the Nurbeyram correspondence, handed up with my letters, dated 23 November and 2 December, and too distinctly deposed to by Nurbeyram and his nephew, in their repeated examinations, to admit of a doubt that he was most actively engaged in these intrigues. But whether he was immediately questioned, "before he learns the nature and extent of the disclosures at Baroda," on receipt of my letter of the 23d November, as I had urged he should be, or at what period he was summoned for examination, between that time and the date of Mr. Malet's communication (16 December), I am not informed. If any delay occurred in questioning the man, of course nothing but denial was to be expected. Neither could any very satisfactory results be anticipated, unless the other parties implicated were separately and simultaneously examined. I may have been wrong in supposing that Government had the power to cause the "arrest," within the jurisdiction of the Supreme Court, of persons charged with conspiracy to extort money under false pretences; but there is surely some course by which suspected parties may be put to question under such circumstances.

Section V.

CONCLUSION.

1st. As I have already mentioned, in my fourth supplementary section, Government on the 23d November declined complying with my request that a guarantee of personal safety should be given to Govind Row Roria, who, on receiving such a guarantee, was prepared to reveal certain intrigues of the minister. These intrigues, as has been seen, had reference to the Irregular Horse question, and though involving a less extensive system of bribery, resembled in many of their features the Dhackjee Dadajee intrigues, for arriving at the truth in respect to which Sir George Arthur deemed it the bounden duty of

Government

Government to institute the most rigid inquiries, and to stretch the powers of Government to its utmost limits, and for refusing to aid him in sifting them to the bottom, Sir G. Arthur thought it necessary to cause the Guicowar's *de facto* minister of that day to be pronounced unfit to be recognized by the Resident as his Highness's agent.

2d. I have further stated, that when refusing to allow me to give the guarantee required by Govind Row Roria, Government intimated to me that I was at liberty to conduct my inquiries by "legal means" to any extent I chose. And I have mentioned that four days later, that is, on the 27th November, Government summarily put a stop to my inquiries—inquiries in furtherance of which I had then obtained another clue.

3d. The summary termination of my inquiries involved in my dismissal from office, Government based, and justified, on certain accusations founded principally on the letter which accompanied my Khutput Report. Against these accusations I deemed it my duty to defend myself before quitting office; and I did so in the following letter, written on the 15th December, in which will be found the whole of the Chief Secretary's letter, save the two introductory paragraphs, which, as they were purely introductory and relicative,* it was unnecessary to quote:—

* S. O.

To A. Malet, Esquire.

"Sir,

"Baroda, 15 December 1851.

1. "I HAVE the honour to request that you will intimate to the Right honourable the Governor in Council my formal resignation of the office of British Representative at the Court of his Highness the Guicowar of Baroda.

2. "It is deemed by his Lordship in Council inadvisable that I should longer retain that office; and in desiring you to communicate to me his determination to this effect, his Lordship instructed you to detail to me the considerations on which it is founded.

3. "In obedience to your instructions, you addressed to me your letter of the 27th November, and to that document I deem it my duty to reply at some length; for, while I bow with all due respect to his Lordship's decision, I cannot formally abdicate a post, in which I have so long, so arduously, and under such discouraging circumstances, laboured to promote the best interests of my Government, without tendering a respectful vindication of myself from the accusations that Government has recorded against me when intimating to me that I may no longer represent it at Baroda.

4. "These accusations I propose to notice in the order in which you have yourself stated them.

5. "In the 3d paragraph of your letter now under reply, you have been directed to express yourself as follows, in reference to the letter dated 31st October last, with which I accompanied my report on 'Khutput':—'The Governor in Council regrets to observe, that you appear from this letter to have formed a very incorrect idea of your position as the representative of the Bombay Government, and also of the relations in which Government stands towards the independent Sovereign and friendly neighbour to whom you are accredited; for it appears to the Right honourable the Governor in Council that one at least of the principal objects of your present letter is to induce Government to require the suspension, or absolute removal from office, of that Prince's chief minister, solely because you have, in so far as Government is at present advised, formed a bad opinion of that individual, against whom, however, you have brought no definite or specific charge. I am to remark that the recommendation of so arbitrary a measure towards any prince in the situation of the Guicowar, could only be justified by absolute necessity under circumstances of peculiar emergency or extreme danger to the State; and that to accede to it when none of these causes exist, could only be regarded as a most wanton and tyrannical act of oppression against a compliant and unoffending ally.'

6. "In reply to the very heavy charges which, in the passage just quoted, you have been instructed to bring against me, while I readily concede that it

was.

was my earnest wish to induce the Right honourable the Governor in Council to call on the Guicowar to select another minister, I beg most respectfully, but most distinctly, to deprecate your assertion that I was ignorant of the relations in which Government stood to the Guicowar, and that when I solicited the interposition of Government for the removal of Bhaw Tambekur, I had failed to bring definite and specific charges against that individual.

7. "I was aware, that on the 3d of April 1821, the Honourable Mountstuart Elphinstone had distinctly informed the Guicowar, that in more than one respect he was bound to conform to the wishes of the Resident. After informing him, in reference to his control over the 'Dowlut,' no extra expenses could be incurred 'without the consent of the Resident,' he thus proceeded:—'Those Durruckdars, &c., who possess the British guarantee, should not be molested. As regards the appointment of a minister to look after the interests of the State, the same should be made through the consent of the Resident.'

8. "I was aware that the relations in which Government stood to the Guicowar were so understood by Sir James Carnac, as to induce that Governor of Bombay to address his Highness in the following terms on the 8th of February 1841:—'The earnest desire which you have evinced for a reconciliation with the British Government, and your promises to preserve inviolate all existing guarantees, and to be guided by the councils of the British Representative at your Highness's court, has enabled me to renew the bonds of amity.'

9. "After telling his Highness that he 'had on several occasions taken an opportunity of speaking to him on the subject of the evil advisers, by whose councils his Highness had been led into difficulty,' Sir James thus expressed himself:—'Your Highness will be careful, therefore, never to employ any of these individuals* in any transaction whatever with the British Government, or in any business connected with our guarantees, the holders of which have been on many occasions so grievously oppressed.'

* Bapoo Urguria.
Baba Nafra.
Gunesh Punt.
Bhow Pooranick.

10. "Still more explicitly did Governor Carnac speak in his following sentence:—'I have spoken to your Highness on the subject of the nomination of a minister; you are aware that you are bound to appoint a person to this office with the approbation of the British Government. You inform me that you desire no minister, and that you will yourself transact all matters of business with the Resident. As a mark of my friendship for your Highness, and of my confidence in the continuance of that good understanding which I observe to exist between you and the Resident at your court, I have consented to waive the demand for the fulfilment of this stipulation during such period as your Highness may act up to your professions, and be guided in all matters in which the British Government has any concern, by the good counsel of the British Representative.'

11. "Sir James went on to express a hope that the confidence thus reposed in his Highness might not be misplaced, and that it would not be necessary to enforce on his Highness a measure to which he was averse, and he urged him to be guided by the Resident's friendly advice. But still more to the point were the lessons read to the Guicowar by Governor Sir George Arthur, on the 18th July 1843.

12. "In the 36th paragraph of that memorable letter he wrote as follows, in allusion to the Dhackjee Dadajee business:—'In one of your communications to the Resident, your Highness admits having heard of the reports which the payments originated, prejudicial to the character of Government and of its officers,' (to wit, their being bribed over to procure decisions favourable to his Highness). 'But you allude to them as unworthy the notice of a great Government; but on this point it is my duty to undeceive your Highness. The British Government is extremely jealous of its complete freedom from all taint of corruption; hence it regards the offence of Dhackjee Dadajee as one of the greatest magnitude, its effect being to create a belief that justice is to be bought and sold, and that corruption prevails at the very gates of Government. It behoved Government, therefore, when his wicked machinations were discovered, to institute the most rigid inquiries with the view of dispelling the false accusations he had disseminated, and, if possible, of punishing all parties implicated in the transactions.'

13. "Sir

13. "Sir George proceeded to complain that the Guicowar had been backward in aiding the British Government in vindicating its purity; he informed the Guicowar that he should deem it his duty to place his Highness's conduct before higher authority in its true light, and he added, 'The consequences it is impossible to foresee, but as your sincere friend and well-wisher, I deem it right to observe that they may be excessively injurious to your Highness's interests, and I would therefore fain hope that * * * your Highness will see that it is for your own advantage to make to the Resident a confidential disclosure of all the circumstances within your Highness's knowledge of the impositions which have been practised on your Highness, and that you will dismiss from your council and intimacy all persons implicated therein who have dared to call in question the honour and integrity of the British Government, by representing to your Highness that some of its highest functionaries could be influenced in their original acts by pecuniary circumstances.'

14. "Sir George, after intimating that the Resident had been ordered to exclude from the Residency five individuals named in the despatch, proceeded to impress on his Highness the propriety of his Highness excluding them from his councils; and his letter hinted that he might be compelled to enforce the right which Sir James Carnac had waived, and he concluded with a hope that his Highness would, by a compliance with the Governor's suggestions, 'avert the consequences' of the displeasure his conduct would awaken in high quarters.

15. "On the same day that Sir George Arthur wrote this letter, Mr. Secretary Reid was instructed to address to Mr. Boyd, the Resident, a very severe reprimand for allowing himself to be cajoled by the Guicowar, and his advisers and agents. In the 7th paragraph of his letter, Mr. Reid expressed himself as follows:—'The Governor in Council cannot but believe that important results would have ensued had you, on occasions like these, assumed a decisive tone with his Highness, or Gopalrow Myral, at these ill-disguised attempts to impose on you, and through you on the British Government.'

16. "In reference to Gopalrow Myral, the Guicowar's then adviser and *de facto* minister, it was decided by Government, that should he fail to reveal all that he knew of the Khutput intrigues carried on through Dhackjee Dadajee, 'the Resident shall decline to receive him as the agent of his Highness the Guicowar, in any transaction whatever, and shall refuse to exercise, on his behalf, any friendly office he may require.'

17. "The Resident, Mr. Boyd, was throughout severely censured for not considering it his bounden duty to display zeal, energy, and determination in vindicating the purity of British justice by exposing the Baroda Khutput makers, and Mr. Reid's 10th paragraph thus alluded to the subject:—'The Honourable the Governor in Council has been greatly disappointed at the apparent want of interest you have evinced in the furtherance of the important objects Government have in view in prosecuting this inquiry.' The little success which has attended the measures which Government directed you to adopt, with the view of bringing to light the real facts connected with the case, establish, in the opinion of Government, in a painful degree, a want of that influence at his Highness the Guicowar's court which you should possess, and is essential to the performance of your duties. Your several reports to Government have impressed the Governor in Council with a feeling that, throughout this inquiry, you have evinced a want of zeal, energy, and decision, co-operate* in furthering the objects of Government; and a similar impression has been made by the accounts given by you of your different interviews with his Highness and his *de facto* minister, Gopalrow Myral.'

* *Sic in O.*

18. "I might multiply instances to prove that past Governments have not deemed themselves debarred, by the relations subsisting between the two Governments, from making requirements on the Guicowar full as great as that which I had suggested. And I know that long ere I had allowed the minister to perceive that I was aware of his attempts to thwart my inquiries, and while yet he made a great display of zeal in my behalf, my delicacy, in reference to that individual, was deemed ridiculous by a late very distinguished functionary, who was well versed in Baroda politics, and who deprecated the idea of a Resident not taking means to displace a minister who was secretly impeding his official actions.

19. "I now proceed to notice your assertion to the effect, that, when I solicited Government to warn his Highness to the selection of another minister, I had brought against Bhow Tambekur no definite charges.

20. "In handing up the case of Joitabae Settanee, I did my best to prove that the history of that case was calculated to rivet in the native mind of Baroda the previous existing belief in the efficacy of Khutput. And though Government, in reviewing my report, has not deemed the subject worthy of its notice, I think I satisfactorily proved that the conduct of the two punchayets, appointed by the Durbar to investigate that lady's case, was detestable and disgraceful. The first punchayet, in which, contrary to the provisions contained in the letter of Sir G. Arthur, Gopallrow Myral was placed, made use, as my report shows, of the most frivolous pretexts for preventing Joitabae's case being tried on its merits. But it was with the proceedings of the 2d punchayet that my report was most concerned, and the proceedings of that body, I observed, distinctly proved that its members, 'while compelled to give a decision adverse to their friend, did not hesitate to adopt the most shameful expedients, with a view to render their verdict as little damaging as possible.'

21. "'And,' I proceeded, 'these expedients I should have been able to expose more fully than I have done had I received that aid from the Durbar which it was their duty to render me. But as the punchayet had been merely the tool and puppet of certain influential members of the Durbar, it cannot be a matter of surprise that my efforts should have been unsupported and negatively frustrated; frustrated so far as the Durbar could venture to frustrate them. I say the Durbar; and I beg neither the Bombay Government nor the Honourable the Court of Directors will conceive that I mean to implicate the Guicowar personally. Against his Highness I have no complaint to make; on the contrary, I owe him a deep debt of gratitude for the anxiety he has ever displayed to forward my views and to facilitate my measures; and had all his Durbar given cordial effect to the Prince's orders, and fulfilled what they knew to be his wishes, I should have been able to make a clearer and a more complete report. But the Durbar, by which I mean the official servants of the Guicowar Government, are, almost to a man, the friends and partisans of Baba Nafra; and considering what I have said in paragraphs 14 to 19 of my introductory remarks, it can hardly be a matter of surprise that their friendship remains uncooled, and their partisanship unabated, notwithstanding the temporary disgrace that has fallen on their friend. The sentence under which the Baba lies will, they confidently believe, be set aside by the Bombay Government, for not only do they rely on the omnipotent efficacy of Khutput in the abstract, but they believe that effectual Khutput has long since been made by Baba Nafra and his friends; they know that the Baba is ready to pay down almost any imaginable amount of money; they are aware that, since his conviction, enormous sums have actually been remitted to Bombay, and they have learnt not only that one of the leading members of the Bombay bar (the Company's legal remembrancer, it is understood) has been retained on his behalf, but Captain French takes a deep interest in his cause, and is strenuously exerting himself in the Baba's behalf.'

22. "I went on to give illustrations of the tactics of the Durbar friends of Baba Nafra. Amongst others I gave the following:—'The punchayet's proceedings, as sent to me officially, differed from the original draft submitted. This circumstance I communicated to his Highness by yad, and requested explanations; and from that day up to the present I have had repeated occasion to call for further explanations respecting the various discrepancies, suppressions, garblings, and other discreditable artifices in the punchayet's proceedings, which have from time to time come to light. I will not give unnecessary bulk to this report by describing the unsatisfactory nature of these explanations, but a reference to Appendix (J.), which contains the correspondence on the subject that has passed between the Residency and the Durbar, while it will show how sorely my temper and patience have been tried, and what local obstacles I have had to contend with in my search after truth, will, I hope, when taken in connexion with what I have said in paragraphs 14 to 19 of my introductory remarks, satisfy Government that their own dignity, and the welfare of those under their protection, imperatively demand that they should, whenever it is in their power, render me that prompt, active, cordial, well-marked, and energetic aid, without which it is in vain that I attempt to vindicate the purity and incorruptibility

ruptibility of British justice, and to eradicate that universal and deeply-rooted belief in the efficacy of Khutput, which tends daily more and more to demoralize the people of Baroda; and which, while it remains uneradicated, will inevitably bring forth a succession of Baba Nafras and Nursoo Punts, of Joitabaees and Moreshwar Fudkeys, to the scandal of the British name.'

23. "I did not, while making my report, choose unnecessarily to awaken the hostility of the minister, for I was then engaged in investigations of great difficulty, and in which I required all the aid I could obtain from him. I did not, therefore, specially introduce his name into a report, every word of which would, if sought by him, be communicated to him by the traitors in my own office, or by the traitors in the Secretariat. But I felt assured that my meaning would be understood by my superiors; and it never occurred to me that the Chief Secretary, so conversant with Baroda matters, and who had suffered so much inconvenience from Baroda intrigue, or the members of Government, two of whom have had long experience of India usage and phraseology, would fail to interpret 'the Durbar' as embracing, and practically specifying, the *de facto* head of the Durbar, the ruler of its councils, and the regulator of its acts.

24. "Nay, in the very letter which has led to my removal, and in replying to which you were instructed to say I had brought no definite or specific charge against the minister, I thus expressed myself of that individual in reference to the Joitabae affair:—'To myself personally the minister has been a source of embarrassment ever since I came in contact with him. In my various investigations his influence has been exerted for the suppression of truth; and as an illustration of what I say, I would refer to the proceedings of the two punchayets appointed by his Highness the Guicowar to adjudicate in the case of Joitabae. The disgraceful proceedings of these two bodies, I need hardly say, could only have been perpetrated with the minister's connivance.'

25. "Addressing a Government whom I presumed to be well versed in the constitution and workings of native courts, and through a Chief Secretary who was particularly well informed as regarded Baroda matters, I did not think it necessary to demonstrate so obvious a truism; and as I never doubted but that the Bombay Government would consider the proceedings in question as disgraceful, and as these disgraceful proceedings were intended to screen the perpetrator of a foul outrage on a lady enjoying the British protection, I thought that, when I accused the minister of connivance at them, I brought a very definite and specific charge.

26. "Again, in respect of another case. On the 27th June 1851, I complained, with the concurrence of Mr. Commissioner Frere, 'of the shameless manner in which the influence of the Durbar had been exerted to prevent witnesses from giving evidence against Nursoo Punt.' And having on former occasions explained that I had no cause of complaint against his Highness, I thought that my remarks would necessarily be at once recognized as applying to the minister. And in my Khutput Report, which accompanied the letter that has led to my removal from office, and to the contents of which I obviously referred in that letter, I observed as follows, in reference to the same obstructive conduct of the minister: 'But though I cannot prove it, and those who are acquainted with native Durbars must well know that in such cases proof is seldom possible, I know that he, the minister, has been secretly working against me, deterring those who could give me information from coming forward, and otherwise doing his utmost to thwart and embarrass me * * * I trust the facts detailed in my (Joitabae) report will be considered as justifying my being authorised to communicate to his Highness the Guicowar the wish of the British Government, that he should select another and a better counsellor. Only the other day did the minister send to Baba Nafra's family the annual present of cloths, customary to be given by the Durbar to the principal gentry of Baroda on the occasion of Gunputty festival.'

27. "Addressing those who know the conventional meaning attached to these presents, I did not deem it necessary to enter on any argument with a view to prove that, in paying such a compliment to a man who had recently been convicted of a foul conspiracy against a lady enjoying the British protection, who had, years before, been repeatedly denounced by the Bombay Government as an improper associate for the Guicowar, and one utterly unfit to be received at the

Residency, and who had been engaged in corrupting British servants, the minister had gone out of his way to manifest the real state of his feelings towards the British representative.

28. "Again, at the date of the letter in which you were instructed to say I had brought no definite or specific charge against the minister, I had submitted to Government proofs of the corruption existing in their own Secretariat,—proofs which Government has, I believe, deemed conclusive,—and coupled these with facts and considerations, tending to prove that the minister was a party to that corruption, and that he had been carrying on fresh intrigues not very dissimilar in nature or object from those which issued in the Dhackjee Dadajee exposures, and which Sir G. Arthur thought of so grave a character as seriously to compromise the safety of the Guicowar state, and as fully justifying him in ordering the Baroda Resident to refuse to recognise the *de facto* minister of that day.

29. "I had at the same time informed them, that if they would give a guarantee, for which good precedent existed, of personal safety to Govind Row Roria, I should be able to throw some light on these intrigues. Had I deemed it necessary, I might have further informed Government, that through the minister's instrumentality, his Highness had entertained many individuals who had previously been dismissed from Government employ, such entertainment being in direct violation of the treaty dated 21 April 1805;* and I have since communicated additional information, of a tendency calculated to inculcate the minister, whose subsequent demeanor has been in the last degree offensive. But this is not germane to the subject of my present letter.

30. "Having thus endeavoured to exonerate myself in the eyes of his Lordship in Council, from two of the accusations under which I labour, I would beg with all deference to notice another censure implied in your observations on the suggested message to the Guicowar, recommending the dismissal of the minister. You tell me you are directed to remark, 'That the recommendation, of so arbitrary a measure towards any prince in the situation of the Guicowar, could only be justified by absolute necessity, under circumstances of peculiar emergency, or extreme danger to the state, and that to accede to it when none of these causes exist, could only be regarded as a most wanton and tyrannical act of aggression against a compliant and unoffending ally.'

31. "To a political career of some duration, and not altogether undistinguished, I would refer in exculpation from the charge of willingly recommending any wanton and tyrannical act of aggression against a compliant and unoffending ally; and I can with pride and confidence point to the unvarying tenor of my personal intercourse with his Highness the Guicowar, as evincing an honest and earnest desire to maintain intact his dignity and prerogatives, to consult his interest, to forward his views, and to remove his prejudices; and it is precisely because I regard his Highness personally, as a compliant and unoffending ally, that I desired to see him rescued from the thralldom of an evil adviser, whose proceedings are directly calculated to imperil the permanence of the Guicowar dignity, by betraying his Highness into a course of procedure which a future Government may deem hostile to British interests. It was precisely because I was anxious to avert the occurrence of future events and consequences, which might hereafter be held to justify the absorption of the Guicowar state, that finding all my other recommendations unheeded by my Government, I was at last compelled to urge the removal of a minister, who, influenced only by his own selfish views, cared not, though he should eventually compromise his sovereign beyond remedy, so long as he could gratify his own ambition, avarice, and malice.

32. "When I handed up the Joitabae Report on the 31st March 1851, I was in hopes that a less decisive act on the part of Government, than a direct censure of the minister, or a call for his removal, would meet the requirements of the case. After offering certain recommendations based in equity in reference to Baba Nafra, I then proceeded:—'I would beg, moreover, that when communicating to his Highness the Government confirmation of Baba Nafra's sentence, I may be authorised to state to him, that Government only confirm that very inadequate sentence from a feeling of personal respect for his Highness, who has individually done all in his power to promote the elicitation of truth; from
a disinclination

* A list of nine of these individuals, forming perhaps a majority of city officials of the Durbar, is given in Appendix (A.)

a disinclination to hurt the feelings of so amiable a prince, by formally setting aside the decision of his courts; and from a confident hope that his Highness will take effectual means to prevent a recurrence of conduct on the part of those invested by him with judicial functions similar to that displayed by the pun-chayets appointed to investigate Joitabae's complaints in 1847 and 1850. I would further beg that I may be instructed to communicate to his Highness the deep regret of Government that the state of morals in his capital should be at so low an ebb as the history of the Joitabae case proves them to have fallen; and the earnest request, that his Highness will henceforth, with his best energies, and all the influence at his command, co-operate with them and their local representative in eradicating the dishonouring belief in the efficacy of khutput.'

33. "But my recommendations have been unheeded, and circumstances have occurred since the date of my Joitabae Report, tending powerfully to rivet the belief that my anti-khutput efforts are distasteful to Government. Conduct the reverse of compliant and unoffending on the part of the Durbar had been brought to the notice of Government, and I felt that I should have failed in the duty I owe the Guicowar, had I not implored my Government to exercise its undoubted right, for the purpose of saving from serious consequences an amiable but weak-minded prince. I did implore it, and I am removed.

34. "I will not indulge in predictions as to the future history of this court; but, as exhibiting the present aspect of its affairs, I will avail myself of the words of the late Mr. Sutherland, written under date the 11th June 1838, and at a period when the dismissal of Vaneram Aditram (the then minister) was under discussion:—'The present policy and the dominant party in the State of whom I have treated, are detested by all, while Veneram's return is dreaded, as likely to perpetuate their misfortunes and ruin. I have understood from various sources, that the members of Syajee Row's own family consider the line he has adopted towards the British Government to be injurious in the extreme, and fraught with mischief to himself and the future prosperity of his family.'

35. "I now proceed to offer a few respectful remarks on your 4th paragraph; in that paragraph, you observe:—'It was not intended by the Government circular of the 15th May 1850, to enjoin those functionaries to whom it was addressed to devote their time in searching out cases on which corrupt influences had any where, at any time, been brought to bear, or to attempt to discover that which, from its very nature, must be all but impossible to trace, and it is quite clear that you have misinterpreted the letter on which your elaborate report is founded, and have entered on very laborious and difficult researches with the expectation of destroying amongst the people of this country the practice of seeking to compass their ends by indirect means or corrupt influences. Had you stopped here, the Governor in Council would have deemed it sufficient to have cautioned you that the course you was following was calculated to embroil Government with the Guicowar, and that all that it was practicable to effect towards destroying the impression, said to prevail with regard to the efficacy of khutput, would be best effected by the exercise of extreme vigilance in the offices of all the public departments.'

36. "In reference to the apparently implied charge contained in this paragraph, to the effect that I neglected my other duties while preparing my Khutput Report, I beg with all deference, but in the most explicit manner, to say, that such was not the case.

37. "That report was written during hours abstracted from recreation and repose; and during the period that it was under preparation, the records of this office, and those of the Government Secretariate, amply testify that I effected an amount of work greater than could have been performed during the diurnal periods conventionally considered enough for devotion to office duties.

38. "When his Lordship in Council directed you to state, that misinterpreting the Khutput Circular, I entered on very laborious and difficult researches, he appears to have conceived that the Joitabae, Nursoo Punt, and Moreshwar Fudkey cases, were investigated with a view to the completion of my Khutput Report. If such was his Lordship's conception, I beg respectfully to state, that it is incorrect. These cases were investigated by me, as the context of the

reports on them show, as a part of the regular official duty of my appointment: I should have failed in my duty, had I neglected their investigation, and if their investigation was calculated to embroil Government with the Durbar, such embroglios could only have arisen from the Durbar refusing that aid which it has been over and over again declared by Government, they are bound to render to the Resident.

“The investigation of the cases in question afforded lamentable illustration of the extent to which the belief in khutput existed, and of the mischievous results to which it led; and such being the case, I considered it my duty to incorporate a recital of them in my Report on Khutput, the object of which was to demonstrate that the belief in khutput did exist; that it had produced much mischief; that its existence, and the mischief arising out of it, had often been brought to the notice of Government; that measures calculated to destroy the doctrine of the corruptibility of high officials had been urged on Government, but disregarded by them on the ground that the conduct of Government was not to be influenced by public opinion; that subsequent events had proved how groundless were the hopes expressed on the occasion by Government, and that of late years, the honour of the British Government had been called in question to an extent even greater than was the case when Sir George Arthur made his memorable declaration, that Government could not afford to allow even rumours of official corruptibility to pass unsifted, and that all, whether princes or their subjects, who dared to contemplate bribing British officials, or who should fail to render active aid in the detection of those entertaining such intentions, imperilled themselves, and must be considered as hostile to the British Government.

39. “You were instructed to attribute to me ‘expectations of destroying among the people of this country the practice of seeking to compass their ends by indirect means or corrupt influences.’ I beg respectfully to assure his Lordship in Council, that no wild Quixotic expectations of the kind ever entered my mind; but I did hope to induce Government to take steps requisite to disabuse the native mind of Baroda of the belief that high British functionaries could be bribed or influenced by improper considerations. I did hope they would extend to me every assistance in their power, and stretch their authority to its utmost, with a view to forward the objects I had in view; I did hope they would repeat in 1851, language similar to that used by Sir George Arthur in 1847, adopt the steps he then thought it his duty to take, and authorise their Resident to do that which Mr. Boyd was severely censured for not doing. In his case, as in mine, the matters under discussion were matters that had previously taken place. In both cases, the object of the inquiry was to ascertain who were the parties guilty of an ‘offence of the greatest magnitude, its effects being to create a belief that justice is to be bought and sold, and that corruption prevails at the very gates of Government.’ And if it behoved Government to ‘institute the most rigid inquiries’ in 1843, it appeared to me still more incumbent on the Resident to do so in 1851. If in 1843 the Resident was blamed for not placing the *de facto* minister in ‘an embarrassed position,’ which meant, proving to his face that he was guilty of falsehood, for not on his own responsibility adopting ‘a decisive tone’ with the same official and with his Highness, I did not conceive I was overstepping the line of duty in 1851, when, after all other means had failed, I implored my Government to adopt a much milder form of the same decisive tone, in consequence of the minister’s ‘ill-disguised attempts to impose on me, and through me on the British Government.’

40. “In the 5th paragraph of your letter you thus expressed yourself: ‘You have, however, gone far beyond this. It is not indeed easy to follow you through all the facts and arguments contained in your letter, but your main intent and purpose apparently are to show, that your endeavours to trace out and expose the system of corruption which you assume to have existed for a series of years at Baroda, have been opposed and thwarted by the Bombay Government; that you have become a mark for calumny and reproach, and have incurred the danger of assassination at the hands of those whose evil deeds you have endeavoured to bring to light; that nevertheless you remain at your post because you regard it as an imperative duty to continue to contend for the great principles you have striven to maintain, and to call on this Government to act with you to cause the Guicowar to dismiss his minister, to punish the parties you deem

corrupt,

corrupt, as traders in corruption, and thus vindicate the purity of the British character in the manner you deem just and right. You likewise assume that you have lost the confidence of your official superiors, and bitterly complain of the position in which you are consequently placed.'

41. "As regards the condemnation by Government of the mode in which I have constructed my Khutput Report, I have no plea in extenuation to offer, for I am painfully conscious that mine is not the pen of a ready or an elegant writer. But obscure as may be my phraseology, clumsy the arrangements of my facts, and unskilful the order of my arguments, I did not expect that my report would have been so misunderstood by his Lordship in Council as seems to be the case.

42. "One of its objects was, undoubtedly, to show that, like more than one of my predecessors, I had not received that support and countenance which, in common with them, I have considered a Resident had an undoubted right to expect at the hand of a Government, for the promotion of whose interests and for the vindication of whose honour he labours. But another object, and a still more important one, was to demonstrate that which his Lordship in Council is pleased to say I assume, viz., that a system of corruption has prevailed at Baroda for a series of years.

43. "That I have, through the prevalence of this system of corruption, in consequence of my exertions to vindicate the reputation of my Government, and owing to the absence of any apparent aid or sympathy from that body, been made a 'mark for calumny and reproach,' is another fact which it was one of the objects of my report to bring again before the notice of Government. I say again, for my report on Mr. Andrews' conduct proved to Government that, even at that date, the corruptionists, believing that my inquiries were distasteful to Government, ventured to insult me, laboured to bring my authority into contempt, and then commenced a course of conspiracies, and the subornation of perjury, to be used for the purpose of damaging my reputation and upsetting my decisions so soon as my removal was effected, a measure which the corruptionists proclaimed the Government would avail itself of some pretext to effect. Since then I have, on several occasions, felt myself bound to bring to the notice of Government the feelings towards me that have been awakened by my official investigations, and by my inability to enlist on their behalf the marked aid and sympathy of Government. The nature of these feelings, and the language, threats, and boasts in which they vent themselves, are as well known in the bazars of Bombay as in those of Baroda.

44. "That I have incurred the danger of assassination in consequence of my official investigations is another fact, which will, at a future time, and on a fitting occasion, be corroborated by medical testimony.

45. "And it is a fact, as stated by me in my Khutput Report, that, notwithstanding all these heavy penalties incurred by the adoption of a course, for the nonadoption of which Mr. Boyd was censured in 1843, it was my earnest desire, because I deemed it my duty, to remain at my post. And the consequences of my removal at this particular juncture will, ere many years elapse, demonstrate that it was indeed my duty not to desert my post, full of difficulty and danger as it is.

46. "It is no less true, that I suggested to the Bombay Government to call upon the Guicowar to dismiss his minister, and begged of them to punish certain traders in corruption, not men whom I merely deemed corrupt, but whom I have proved to be corrupt. Having already justified my recommendation in respect of the minister, I will here only observe, that I feel assured his non-removal will lead to events which, in a very short time, must form the subject of a report more startling than that which has procured for me the displeasure of his Lordship in Council. At this present moment matters are in a state very similar to that described by Mr. Sutherland in his despatch of the 11th of June 1838. And though, on my removal, which, under the circumstances, and at the juncture of its occurrence, will be deemed a signal triumph of the corruptionists, matters will, for a while, proceed smoothly enough, and excessive friendship and zeal will be displayed by the Durbar, the thralldom in which the minister holds the weak mind of the Guicowar will, I feel assured, lead to results which every friend of his Highness will deplore.

47. "If I assume that I have lost the confidence of my official superiors, the assumption will hardly be deemed an extravagant deduction from the events recorded in my Khutput Report.

48. "In that report I have displayed, as an organic whole, in its entirety, in its relations, and in its results, the policy which the Bombay Government has observed in reference to Baroda matters. In it, as well as in all my other despatches, I have maintained that my conduct has been such as to entitle me to the confidence of my superiors; and, imbued with this conviction, it cannot be a matter of surprise to the Right honourable the Governor in Council that I should bitterly complain of the position in which I am placed.

49. "In your 6th paragraph you have been instructed to intimate to me as follows: 'Had his Lordship in Council earlier become aware that your feelings were such as you now describe them to be; that you had ceased to regard the Government you represent with respect; that instead of looking on yourself as bound, while the representative of the British Government at Baroda, to act only as directed by that Government, and to carry out scrupulously those views, and those only, which might be indicated for your guidance; that you deemed yourself, as is inferred from paragraph 17th of your letter, to be endowed with some independent authority, to be exercised or not, at your pleasure, his Lordship in Council would sooner have been convinced that the mutual confidence which ought to subsist between the Government and the Resident was wanting, and that you were therefore no longer qualified to discharge satisfactorily the functions of your important office.'

50. "His Lordship has been long aware of the difficulties of my position, and how keenly I have felt the absence of that outwardly manifested sympathy and aid at his hands which the difficulties of my position demanded. For the last 14 months I have been more or less energetically expressing myself on the subject; and for the same period have I been reiterating, not the assumption, but the fact, that a belief in the corruptibility of the highest officials is universal at Baroda.

51. "But on no occasion have I ever informed his Lordship that I had ceased to regard his Government with respect; and allow me to recall to you that, in the 23d paragraph of your reply to my Joitabae Report, and of a date subsequent to your letter now under reply, you quoted my own words as follows:—'It is true * * * that you have expressed your implicit faith in the honour and purity of Government, which, you have been pleased to add, you esteem and honour.'

52. "What I have told his Lordship is, that the natives of Baroda do not view Government with respect; that, on the contrary, they regard it as sympathising with the corruptionists. But this was told months prior to his Lordship's receipt of my Khutput Report. That report only brought together in a collected and connected form the subjects on which, from time to time, I had corresponded with Government. In fact it was principally composed of extracts from my correspondence. And that report, with its accompanying letter, was before his Lordship when, on the 23d November, he invited me to continue the prosecution of inquiries, which, in spite of all the obstacles I had encountered, I was not without hopes of conducting with a certain portion of success, but of which, four days after, he was pleased to order the summary close.

53. "The paragraph of your letter which is now under notice contains an accusation to which I must beg most respectfully, but most emphatically, to plead not guilty. You have been instructed to say that, 'instead of looking on myself as bound, while the representative of the Bombay Government at Baroda, to act only as directed by that Government, and to carry out unscrupulously those views, and those only, which might be indicated for my guidance; I have deemed myself endowed with some independent authority, to be exercised or not at my pleasure.'

54. "This, sir, is a charge which, if founded in fact, can be substantiated; and which if on inquiry it proves to be not founded in fact, I trust his Lordship in Council will deem it only just to erase from the records.

55. "I cannot admit that I have, on any occasion, acted otherwise than as directed by Government; that I have failed to carry out the views of Government;

ment; or that I have ever exercised any independent authority beyond the exercise of that limited discretion, as to the mode of carrying out the views and orders of Government, which it is absolutely necessary for every public servant, civil or military, from Governor to corporal commanding a guard, to exercise. Without such limited discretionary power public servants would be constantly defeating the objects of their superiors, by a compliance with the exact letter or orders, despite the occurrence of circumstances unforeseen by those who issued the orders, and which require a slight departure from the letter in order to give effect to the spirit of these orders.

56. "For no greater extent have I ever done aught to justify the assumption that I regarded myself as independent of the Government I represented; and I cannot believe that his Lordship meant to affirm that a Resident has no right, under any circumstances, of exercising a limited discretion.

57. "Neither can I imagine that his Lordship denies to a Resident, not the right only, but the duty, of bringing to the knowledge of his superiors such misrepresentations of their proceedings as tend to injure the estimation in which they are held.

58. "Still less can I suppose that his Lordship means to enunciate the doctrine, that a Resident, while obeying his Government, is not justified in remonstrating against its proceedings, when his local knowledge and experience satisfy him that these proceedings have an injurious, or, it may be, a decidedly unjust tendency; and when the records of his office prove that similar proceedings have, in former years, been followed by most injurious consequences, and tended to defeat the object which their authors have in view.

59. "Nor can I imagine that he holds a Resident prohibited from clearing himself from any heavy but erroneous accusation which his superiors may have, in misapprehension and without inquiry, cast on him in his absence. And equally impossible is it for me to suppose that his Lordship condemns a Resident for incontestably proving to his Government that, in casting such undeserved censures upon him, they have done so in the avowed advocacy of a man, who, far from deserving their support, was betraying their interests, prostituting their name, and lending his venal services in promotion of frauds and persecutions practised by unprincipled men, who had been denounced by former Governments, and having for their objects helpless beings entitled to the protection of the British Government.

60. "And if, in the prosecution of these legitimate actions, a Resident should have occasion to show that the worst possible motives are supposed by the native community to have influenced the Government that has erroneously accused himself and erroneously acquitted the guilty, I feel assured his Lordship in Council would not be supposed to affirm that, rather than demonstrate the existence of such a belief, with a view to indicate the means of destroying it, the Resident should bear his unjust accusations in silence.

61. "I am, therefore, the more puzzled to understand why his Lordship should have supposed that I conceived myself as endowed with an authority independent of my Government, for if the charge rests solely, as your letter would almost warrant me in supposing, on inferences his Lordship has drawn from the 17th para. of my letter, giving transmission to my Khutput Report, I can only say that his Lordship has inferred from that paragraph a meaning it was never intended to convey.

62. "In order to form a correct conception of the meaning of the paragraph in question, it is obvious that it should be viewed in connexion with its antecedents, and thus viewed, I have a difficulty in conceiving how his Lordship could have put on it the construction you say he has done.

63. "I had in previous paragraphs thus expressed myself:

"In presenting this report, I beg most solemnly and most sincerely to state, that I am innocent of all intentional disrespect to Government. But matters have reached a point at which I should signally fail in my duty, did I not to my utmost state in a clear and explicit manner the peculiar and almost overwhelming difficulties under which I am placed."

64. "These difficulties, arising from the almost universal belief in the efficacy of khutput, and from the manner in which Government had received my efforts

to act in accordance with the spirit of Sir G. Arthur's memorable letter to the Guicowar, I thus specified :

“ ‘ I, the British representative at Baroda, am regarded by the Durbar, and the subjects of the prince at whose court I reside, as one whom it is not only safe but sound policy to thwart and intrigue against. I am regarded as an officer in disgrace with my Government, as opposed by it, and as undergoing at all hands a course of humiliation, which, if not designed to drive me to the resignation of my appointment, is intended to lead me into such insubordinate conduct or intemperate language as shall ensure its forfeiture. And the results of such opinions may be easily conceived.’ ”

65. “ ‘ I went on to exonerate the Guicowar, personally, from all blame, and to indulge in serious reflections on the minister, through whose misconduct I reported much dissatisfaction towards his Highness has been excited amongst the people, and who I declared had been a source of embarrassment to myself ever since I came in contact with him. I proceeded to allude to the cunning manner in which he endeavoured to deceive me into the belief that he was aiding me, while engaged in thwarting me, and I then expressed myself as follows :

“ ‘ Had I been on those terms with my own superiors to which, in former days, I had the honour to be admitted, as well by the Local as by the Supreme Government, I should, at a very early date of my intercourse with the minister, have pointed out to his Highness the necessity, for the honour of his own Raj, of selecting another adviser. In doing this I should have done no more than any other Resident in India in a similar position would have deemed himself justified in doing. I should have been rendering an essential service to the Guicowar, and I should have diminished that intrigue and corruption which tend so much to compromise the character of the British Government in the eyes of the natives. But I felt keenly that I was not admitted to the confidence and kindly consideration on the part of Government, which it was once my honour to enjoy. I feared that my conduct might be censured, and that my recommendations might not be supported. And in such a case I was well aware that intrigues would multiply, and attempts be made to involve me in a dispute with the Durbar, with a view to lead to my removal from a post where I am a source of inconvenience and alarm to the traders in corruption. I have, therefore, been constrained to meet the minister in his own fashion, and to assume his own cordial demeanor; to express satisfaction for such trifling aid as from time to time, for appearance sake, he has rendered me, and to appear ignorant of his secret opposition.’ ”

66. “ ‘ Having thus delivered myself, I proceeded to indite my 17th paragraph, from which, as you have been directed to record, his Lordship in Council saw reason to infer that I considered myself endowed with some independent authority, to be exercised or not at my pleasure.

67. “ ‘ That paragraph was as follows :

“ ‘ This is a position from which I conceive that I have a right to be allowed to relieve myself by the exercise of that authority which few other Residents would hesitate to exert. But should Government not concur with me in this view of the case, I shall respectfully submit to its decisions; for I feel that it is my duty to remain at my post, one of difficulty as well as of danger as it is; I repeat, of danger, for not only is the climate one that disagrees with me, but it is the opinion of my medical advisers that, on more than one occasion, has my life been tampered with, at the instigation of those corruptionists I was endeavouring to expose.’ ”

68. “ ‘ The above, sir, is the 17th paragraph of my letter, reproduced entire; and I beg once more to declare that it was never intended to convey the meaning which his Lordship, you were directed to say, inferred from it.

69. “ ‘ The word ‘ authority ’ is perhaps not the one best suited to convey my obvious import; ‘ license,’ or ‘ discretion,’ or ‘ official act,’ would, I admit, have been a more appropriate expression. But the context shows that I referred to the recommendation of a change of minister, which I expressed my belief that no other Resident in India, in similar circumstances, would have hesitated to make. Such a recommendation, I might have urged, I was entitled to make in virtue of the doctrines laid down by Mr. Elphinstone, Sir J. Carnac, and Sir George Arthur, who all maintained that the Guicowar should be guided by the

the friendly counsels and advice of the Resident. But, as the very words of the letter themselves prove, I never ventured to urge anything of the kind, conscious as I was that I did not enjoy the countenance of my superiors to the same extent as was once my privilege. I simply expressed my opinion, that I had a right, and clearly a moral right was implied, to be allowed, that is, permitted, to exercise that license of giving friendly counsel to the Guicowar, which I believed any other Resident in India would have exercised on his own responsibility; nay, in the words immediately following, I very distinctly explained that such was my meaning, by declaring that, should Government not concur with me in this view of the case, I should respectfully submit to their decision. That is, I declared, that if Government did not conceive that I had a right to be allowed to make such a representation to the Guicowar as should relieve me from the hostile proceedings of his unprincipled minister, I would still do my best to maintain the interests and reputation of my Government.

70. "The 7th paragraph of your letter now under reply thus communicates to me my removal from office:—

" 'The Governor in Council considers, that while labouring under such impressions as those by which you are, by your own showing, at present influenced, you cannot possess the tact, calmness of mind, and discretion, indispensable to the maintenance on a satisfactory footing of the political relations of this Government with the Baroda Durbar, and that much embarrassment will ensue if you be permitted to remain there. I am, therefore, instructed to inform you that your letter under review, taken in connexion with previous correspondence, has convinced the Right honourable the Governor in Council that it will not be for the advantage of the interests of Government that you should continue to represent them at Baroda, and it is therefore left to you to withdraw from the appointment which you now fill in the manner least offensive to your own feelings, and least calculated to embarrass Government, or affect their amicable relations with his Highness the Guicowar.'

Sic in O.

71. "It would not become me to attempt to meet a proposition of so general nature enunciated by Government. As regards my 'previous correspondence,' I have shown, in the sections of my Khutput Report which refer to Nursoo Punt and allied matters, that many of my letters, and some of these important ones, have never yet been answered; for the nature of the communication which, on the 1st October, Government instructed you to address me, in reference to my Joitabae Report, makes me very solicitous that the Honourable Court, in judging as well of the tone as of the substance of my communications to Government, should not confine their attention to those *résumés* and expositions which Government may have prepared. And in order that the Honourable Court may possess as full a statement as possible of the entire merits of that report, I am now preparing a respectful rejoinder to your reply thereon.

72. "Equally anxious am I that my honourable masters should not judge of my despatch in reference to Mr. Andrews, solely from a perusal of your letter in reply to it.

73. "Against the accusations on which his Lordship in Council has been pleased to base and justify my dismissal I shall deem it my duty to appeal to higher authority. Against my removal from office I make no appeal; I bow to it as I do to every exercise of authority on the part of Government.

74. "For some weeks past have the corruptionists made open boast, that ere three months I should be either dead or removed from office; and measures for the successful practice of khutput at the Presidency have since been carried on on a large scale, and with great industry. With varying degrees of confidence, the boasts of the corruptionists continued until the evening of the very day on which your letter was dated, when the minister received an express despatch from the Presidency communicating to him 'a great triumph.' On the afternoon of that day, the Guicowar had evinced considerable anxiety to meet my views by sending me the persons I wished to examine.* On the next morning his Highness was induced to send a khureeta to his Lordship in Council,

Council,

* *Vide* report of interview which accompanied my letter dated 2d December, No. 221 B.

Council, the meaning of which it is not difficult to understand. And that I had been actually dismissed, or was speedily to be dismissed for my anti-khutput labours, was, I have reason to believe, understood in the city as soon as I myself became aware of the views of Government.*

75. "The peculiar juncture of my dismissal, and the circumstances which preceded it, must, I feel assured, be regarded by the natives of Baroda as proofs that the boasts of the Khutputists had not been without foundation.

76. "Of these boasts Government have long been aware, and they have been informed that the boasters have long been concocting a conspiracy, and suborning evidence to be brought into play as soon as I should leave Baroda.

77. "This conspiracy has now for weeks been hatching; this evidence has been organized, re-cast, increased, and modified, so that it shall be harmonious; circumstantial, and conclusive; and the conspirators but wait the advent of the new Resident, and of the Commission they have been taught to look for, to avenge themselves on my memory for all the alarm, inconvenience, and expenditure of gold I have caused them, to injure those who have in any way aided or befriended me, and to bring utter ruin on Moreshwar Fudkay and others.

78. "The issue I can foresee; but though temporary success may probably attend the machinations of the conspirators, strengthened as they now are by what they cannot but regard as a signal triumph, I have such faith in God's moral government, that I look forward with confidence to the final discomfiture of their wicked designs, and that, probably, at no very remote date. Whether I may be spared to witness it, rests with Him in whose hands are the issues of life and death.

"I have, &c. &c."

4th. It

* "These views were communicated only to Mr. Battye, and to another valued friend, and to both under the seal of secrecy, on the day on which I received them (the 1st December), and on the 2d I received an anonymous letter from Bombay, intimating that Nursoo Punt was to be tenderly dealt with, and that I was to be dismissed."

Postscript to Note to Para. 74.

"In a demi-official conversation which I had with the Chief Secretary after my arrival in Bombay, and some days after my letter of the 15th December had been under consideration, I was informed by that gentleman, that the alleged receipt by the minister, on the 27th of November, of intelligence of my intended removal was impossible. My removal, he informed me, was only resolved on the very day (or day previous) on which it was communicated to me, viz. the 27th November. I cannot help it. I beg still to adhere to what is above stated. It is possible that 'the great triumph,' of which anticipatory intelligence was communicated to the minister, may (like other items of khutput intelligence which results had verified) have been only a coincidence. But it was a striking coincidence, and with such coincidences the recent history of Baroda abounds. The facts stand thus. Ever since I had been compelled to allow the minister to perceive that I penetrated the flimsy veil with which he concealed his hostile machinations, he has made frequent boast that, ere long, I should either be dead, driven to suicide, or removed. Matters apparently turn in my favour, revelations of an important nature come to light, and if ever there seemed a time when Government were likely to abstain from a summary removal of me it was then. The minister gets alarmed, and refuses to permit me to examine Guicowar subjects; I make a representation to his Highness; the refusal is withdrawn, and next day my wishes are to be complied with. In the course of the night the minister receives an express from Bombay which completely alters the aspect of affairs. I hear in the morning that the minister has been informed that he is about to achieve 'a great triumph.' And soon after I receive an official announcement that the promises made to me by his Highness the day before are not to be performed. In four days I receive intelligence that the predictions of the minister have indeed been fulfilled; that in very deed he has achieved a great triumph; that I am summarily dismissed from office just as, to all appearances, I am on the verge of exposing a disgraceful system of intrigue which my own Government had refused to aid me in bringing to light, and of inculcating beyond cavil a man whom Government, in spite of much that I had written against him, accused me of being unable to charge with any specific misconduct.

"This may be a mere coincidence; but, I repeat, that it is one suggestive of many reflections. And it is not enough to say that my removal was only resolved on on the 27th November. To form a correct idea of the entire matter, it would be necessary to say when the first suggestions about my removal were made to the Government, and who were cognizant of the representations to my disadvantage which eventually issued in my removal. That my intended removal was known in Bombay almost as soon as it was known in Baroda, is a fact about which there can be no controversy; for Captain French, who left Bombay on the 3d of December, wrote to Mr. Battye from Aden to the effect, that he had heard that Government had removed me before his departure. And the letter announcing my removal did not reach Baroda till the 1st December."

4th. It had been my intention to leave Baroda upon the 15th December, the date assigned to the above letter, but the press of work previous to giving over charge of office, and the breaking up of my own establishment, delayed my actual departure until the 20th December. In the meantime, a paragraph appeared in one of the Bombay newspapers, stating that I was not going to leave Baroda until the 23d December. Upon the day subsequent to this publication, Mr. Malet was directed to request, that if I had "not already left Baroda, you will, by return of post, state the day of your departure, which the Governor in Council considers should be no longer delayed." This communication reached me when on the eve of starting.

5th. My last interview with his Highness the Guicowar, when I intimated to him my intention not to return to Baroda, was thus recorded by my assistant:—

"NOTES of an Interview with the Guicowar on the 15th December 1851, when the Resident went to take leave of his Highness previous to his departure to Bombay.

"After being a short time seated in the usual reception room, the Resident informed his Highness of his intention to proceed to Bombay on a month's leave, and that he hoped to start in a few days. His Highness said it was with much regret he had learnt this from Sumbooram a few days ago, adding, that so long as the Resident was near him he felt happy, and everything went on well, urging a speedy return, and that he should not, as on a former occasion, exceed the one month. The Resident then intimated to his Highness that he wished to speak with him in private. He accordingly, accompanied by his assistant, conducted his Highness into one of the small side rooms, where he explained to his Highness that it was probable he should not return to Baroda, but proceed to England; but that he would write from Bombay when his plans were finally settled, assuring his Highness that whatever happened, he should always take a warm interest in his welfare and happiness, and begging his Highness to believe that, notwithstanding the numerous scandalous reports of his (the Resident's) being inimical to his Highness in consequence of the late acts of his minister, that such was not the case, and that he hoped the Guicowar would ever consider him as a personal friend. At this intimation, his Highness appeared much concerned, and made use of numerous expressions of sorrow, saying that he was too much affected to express his feelings; that he had ever looked upon the Resident as his father, who had taken such friendly interest in all that concerned himself and his family, urging him never to believe for an instant that any of the people about him could induce him to suppose the Resident was not his friend, urgently begging him to postpone the trip to England for the present, and return from Bombay as quickly as possible; that he hoped to receive a letter announcing his safe arrival in Bombay, and that the Resident would frequently write to him during his sojourn at the residency, when he would invariably forward his replies through Mr. Battye."

"It was then suggested by the Resident that we should return to the centre room; and after receiving Paun, Sooparee, &c., the Resident took leave of his Highness and family at the top of the staircase as usual."

6th. In my letter to Government, reproduced above, I have alluded to my intention of appealing to higher authority. The memorial containing my appeal I here subjoin:—

"The humble Memorial, &c.

"Humbly prayeth,

"That your Memorialist approaches your Honourable Court with unfeigned respect, and with that gratitude which becomes him as the recipient of unvarying kindness and consideration at the hands of your honourable body.

"2. That your Memorialist, as is known to your Honourable Court, has, for upwards of 32 years, served the East India Company, both in military and political capacities. During that period he has for the most part, if not on all occasions, successfully carried out the duties assigned to him, and it has been his good fortune to receive many marks of approbation and distinction from his superiors, both civil and military."

" 3. That in the year 1847 your Memorialist was, through the kindness of Sir George Clerk, G. C. B., at that time your Governor of Bombay and its dependencies, appointed to the office of British Resident at the Court of his Highness the Guicowar of Baroda; an office which, as is well known to your Honourable Court, is one invested with much dignity and deep responsibilities.

" 4. That your Memorialist accepted the appointment with peculiar satisfaction. It located him in a portion of your empire where, in former days, he had been enabled to render services to his honourable masters, and it again brought him into intercourse with a people whose best interests he had earnestly laboured to promote.

" 5. That when last your Memorialist had served in Guzerat, his charge was the Mhyecanta, a province which was then suffering under evils and disasters that had long afflicted it, and your Memorialist remembered, with what he hopes will be considered a legitimate pride, that he had himself been a participator in those proceedings which had tended to ameliorate its condition; he had exerted his humble energies in suppressing a lawlessness which had long defaced those tributary Guicowar districts; he had organized from out of the Kolie tribe of plunderers an efficient police corps, for the maintenance of order within the neighbouring British districts; and, in subordination to the higher political officers employed in Guzerat, he had sedulously laboured to remove one principal source of those evils which had so long afflicted that country.

" 6. That the source of evil to which your Memorialist refers, was the constitution of the native political establishments of the province. These establishments were filled by corrupt men, who not only were on all occasions ready to betray the trust reposed in them, and to sell their services to the highest bidder, but who represented themselves as possessing such an influence with men in authority at the presidency, as would enable them to upset the just and upright decisions of the local officers, when these decisions were adverse to the claims of their clients. It was, therefore, their interest to sow dissensions throughout the country, to encourage litigation, to impress the inhabitants with a contempt for the authority of the gentlemen placed over them, and to promote disobedience to, and appeal from, the arrangements and judgments of the latter.

" 7. That severe was the struggle which your local officers had to engage in with the corruption thus engendered, and arduous were their labours to uproot the dishonouring belief, which obtained throughout the province, that the highest Government officials were accessible to improper influences. In that struggle, and in these labours, your Memorialist had the honour to bear a humble part; and when in 1838 his military duties called him away to a distant sphere of action, he took his departure in the confident hope that, at last, the Bombay Government would acknowledge the necessity of aiding its zealous but harassed provincial subordinates, and that brighter days were about to dawn on Guzerat. And the information subsequently received encouraged him to believe that his sanguine expectations had been realized."

" 8. That when, therefore, he was appointed to fill the office of Resident at the Court of his Highness the Guicowar, your Memorialist anticipated that he was about to enter on an extensive field of usefulness; and emulous of the peaceful triumphs achieved by his friend, guide, and counsellor, Colonel John Sutherland, he indulged in many visions of benefits to be conferred on the prince and people of Baroda.

" 9. That your Memorialist's visions of usefulness were not destined to be realized. Before he could mature his plans, he had reason to believe that the corruption which, in former days, he had helped to combat, was not extinct, and that the popular belief in the accessibility of high officials to improper influences still survived.

" 10. That the more he laboured, and the further he carried his inquiries, the more forcibly was the distressing conviction impressed on his mind. And he saw that till a more wholesome moral tone, and a more just political creed, were brought into play and acceptance, vain would be all his efforts to promote either the mental or material interests of the people.

" 11. That

" 11. That it was his duty, as it was his cherished and earnest desire, to confer on Guzerat some of those blessings which, through the philanthropic zeal and energy of the late Colonel John Sutherland, had been scattered over Rajpootra. But, apart from the consideration that it was useless to attempt administrative reforms while a general belief existed that his plans could be frustrated by those who desired to do so, by purchasing corrupt aid at the presidency, your Memorialist felt that his first duty was to the Government he represented.

" 12. That to vindicate the uprightness and purity of the British rule, by securing justice to such as were entitled to British protection; to search out, expose, and punish those whose corrupt practices had perpetrated aspersions on the British name; to extirpate the dishonouring belief that the highest British officials are capable of corrupt practices; these appeared to your Memorialist important and primary duties. They appeared to him duties, the non-performance of which would be criminal in him as the British representative, and disgraceful in him as a British subject.

" 13. That, influenced by these views and feelings, your Memorialist has laboured long and strenuously to effect a change in the sentiments with which your Government of Bombay is, and for years has been, regarded at Baroda; but his labours have been unsuccessful.

" 14. That the circumstances which have contributed to their non-success, are copiously detailed and illustrated in the second part of the Report on 'Khutput,' which, with its transmitting letter, dated 31st October 1851, is annexed to this memorial, while in the first part of that Report are enumerated certain passages in the political history of Guzerat, which your Memorialist hopes will satisfy your Honourable Court that he has by no means exaggerated the evils he deplures, nor over-estimated the strength of the foundations on which they rest.

" 15. That the Report in question was compiled in the earnest hope that the revelations it contained would induce the Bombay Government to afford to your Memorialist that aid in the prosecution of his arduous labours which they had hitherto not seen fit to render him, and to extend to him that visible sympathy and encouragement, the absence of which had, in connexion with antecedent circumstances, led the native public of Baroda to believe those traders in corruption who represented to them that your Memorialist's efforts to vindicate the purity of British justice were viewed with disfavour and alarm by his superiors.

" 16. That your Memorialist was disappointed. The Bombay Government caused intimation to be made to your Memorialist on the 27th of November 1851, that the letter which accompanied his Report had satisfied your Governor in Council that it was not to the advantage either of the British or the Guicowar Governments that he should continue to hold the post of British Representative at Baroda.

" 17. That against his summary removal from an office in which he had hoped to render further and important services, your Memorialist does not presume to appeal to your Honourable Court. He recognises in it an exercise of an authority to which it is his duty to bow in silence. But your Memorialist feels himself not only justified, but bound, to submit to your Honourable Court a respectful appeal against the accusations on which the Bombay Government have based and justified his removal."

" 18. That to these accusations your Memorialist respectfully replied, in a letter to the Chief Secretary of the Bombay Government, dated 15th December 1851. That letter your Memorialist has embodied in the last of those supplementary sections, forming Part III. of his annexed Report, in which he had summarized his proceedings, in respect of Khutput, between the date of his Report and his removal from office; and to this vindication of himself from the accusations preferred against him by his superiors, your Memorialist would respectfully crave the attention of your Honourable Court.

" 19. That since your Memorialist transmitted to the Bombay Government his letter of the 15th December 1851, deprecating those accusations on which his

his removal from office was based and justified, he has been informed that the measures adopted by Governor Sir G. Arthur, by which your Memorialist had principally been guided in his proceedings, did not meet with the approbation of your Honourable Court.

“ 20. That if such be the case, no record thereof stands on the records of the residency; and while your Memorialist saw the views and communications to the Guicowar which were adopted by so experienced and distinguished an administrator as Sir George Arthur apparently unobjected to, he naturally concluded that in urging his Government, under circumstances of no ordinary embarrassment and difficulty, to adopt, in modified form, the policy of that officer, he was urging nothing incompatible with propriety, or with the wishes of the Honourable Court.

“ 21. That your Memorialist most solemnly declares, that while he deemed it his duty to state the case in its entire nakedness before your Government of Bombay and your Honourable Court, he laboured to his utmost to divest his ‘Khutput,’ as well as all his other reports, of ought that could be considered disrespectful. He desired to tell the truth; but it was his endeavour to do so in the manner least calculated to give offence, and he sought the aid of several official friends to enable him to carry out that object.

“ 22. That if enjoying this aid your Memorialist has failed, he would entreat your Honourable Court to attribute the failure to its true cause,—a strong sense of duty, and an inability to soften, without diluting, truths which he deemed it his bounden duty to present in unweakened form.

“ And your Memorialist, &c.

(signed) “J. Outram,
“ Resident at Baroda.”

(True copy.)

(signed) J. Outram,
Late Resident at Baroda.

Appendix (A.) to Khutput Report, Part II.

THE letter to Nursoo Punt’s address, dated the 3d January 1849, and posted at Bombay on the 4th.

2. The author of this very remarkable letter was supposed, by those to whom Nursoo caused it to be exhibited, to be Mr. J. Morris, of the Sudr Adawlut, an individual understood to be occasionally employed by Mr. Reid in the capacity of a confidential amanuensis. The opinion was a very natural one.

3. Of Mr. Reid’s secret favour Nursoo had made open boast. He had vauntingly declared that, through that gentleman’s influence, not only would he not be punished for his infidelities to myself, but that he would be permitted to recall his application for a pension, and to remain in the position of native agent.

4. These highly improbable predictions were verified to the very letter. And 24 hours prior to the official announcement of their verification Nursoo receives, and displays, a private communication embodying that official announcement, explaining that to Mr. Reid’s interference was he indebted for his singular good fortune, cautioning him to be more circumspect for the future, now that his patron was about to leave Bombay; warning him against any act calculated to prejudice the interest of other of Mr. Reid’s clients; cheering him with authentic intelligence regarding his enemy, Baba Fudkey, and instructing him to return thanks to Mr. Reid, not directly, but through the medium of the writer.

5. The letter itself presented every feature of authenticity; and the person from whom it was supposed to come was exactly the agent Mr. Reid might have been supposed to select for communicating with Nursoo. He was Nursoo’s friend, and had been his office companion; and, as I have said, was, whether correctly or not, supposed to have been employed by Mr. Reid in the capacity of a confidential amanuensis.

6. True, it was known to Nursoo that the letter was not in Mr. Morris’ handwriting; but, considering the nature of the document, a man so skilled in intrigue as Nursoo could have

have had little difficulty in perceiving that valid reasons existed why Mr. Morris should prefer availing himself of the penmanship of another; and the same prudential motives would suffice to explain the orthographical errors of the signature, while the similarity of the names, "Maurrice" and "Morris," was sufficient to indicate to Nursoo who his correspondent was, and sufficient to insure the same delivery of Nursoo's solicited reply.

7. Mr. Morris, of course, denies all connexion with the letter. But his denial would have possessed more value had he been able to suggest some probable motive for what he now professes to regard as a species of constructive forgery.

8. What conceivable motive could any human being have had for concocting such a letter, and for leading Nursoo Punt to believe that it came from Mr. Morris?

9. That individual, I believe, asserts, that the object of the letter was to get him into trouble. But it is not quite obvious how it was calculated to effect this object.

10. Nursoo was invited to reply to the letter, and to send his reply to the care of Mr. Reid.

11. If it reached Mr. Morris, and if that individual knew nothing of the letter that had elicited it, his obvious course would have been to submit it to Mr. Reid, and thus the trick would have been discovered.

12. If it had not reached Mr. Morris it was little likely to reach any one else, and it is difficult to perceive how Mr. Morris was to be injured by the retransmission to Nursoo of his own letter through the dead letter office.

13. Nor, on the assumption that it was designed to fall into Mr. Reid's own hands, was it calculated to prejudice Mr. Morris. The handwriting was not his; the signature was not his; and if, as is now alleged, Mr. Morris did not act as Mr. Reid's confidential amanuensis, that gentleman must have still more clearly seen that a conspiracy of some sort existed, the author of which must be one of that limited number of individuals who had access to the secret records and consultations of Government.

14. The supposition that the letter was written without Mr. Morris' sanction is thus beset with extreme improbabilities, and Mr. Morris' own statements do not tend to vindicate him from its authorship.

15. In my "statement of facts relative to Nursoo Punt," which was despatched from Baroda on the 10th of April 1850, I reproduced the letter under notice, a copy of it having been placed in my hands by an individual to whom Nursoo had caused it to be submitted, knowing him to be a friend of Baba Fudkey's.

16. On the 29th of April it would appear that Mr. Malet sent for Mr. Morris, into whose possession the letter had returned, and interrogated him touching it. What Mr. Morris' oral replies were I cannot say; but the next day he transmitted the following letter to the Chief Secretary, "to give a clearer view of how he got the letter, and what he did with it."

(Mr. Morris' Letter.)

"Sir,

"Sudder Adawlut, 30/4/51.

"Keshow must have first mentioned the letter to me on the 3d or 4th March 1849, as on the same occasion he told me he had come to Bombay for the purpose of paying his respects to Mr. Reid, who was then on the eve of leaving India. The use of my name in such a transaction made me anxious to know more about it, and I asked him to let me have the letter, in view to detecting the writer, and punishing him if possible; and he promised he would, which promise he fulfilled in his note from Baroda, dated the 20th June 1849. On its receipt it occurred to me to show it first to Mr. Rouget, but he failed to recognise the handwriting, and before I could show it to others in the Secretariat, as I intended, I missed it, and could not account for its disappearance, until it turned up in the pocket of an old waistcoat which had lain a long time disused. I then made it over to Mr. Showell, and again lost sight of it for a considerable time, in consequence chiefly of his having to give it to the magistrate in evidence of a robbery that had happened in his house. From him I learnt that he had shown it to Mr. Thomas, and that neither of them could detect the writing. I said yesterday I thought it bore the signature of 'J. Maurrice,' but it turned out, as you stated, that it is subscribed "J. R. Maurrice." After sending it to me, Keshow once or twice asked for it back, and his father also once asked me to return it, during his visit to Bombay in the suit of the Guicowar, but owing to one or other of the above accidents I was unable to do so at the time.

"On further consideration of your question of this morning, as to whether I ever wrote to the father or son on the subject of the letter, I can safely say that I never wrote to the father on any subject since I left the Revenue Commissioner's Office; but as regards the son, whose application or applications for the return of the letter were in writing, I cannot make so sure that I did not write in reply to tell him that I could not then put my hand on it. My impression is, however, that I never did.

"Trusting that this account will give you a clearer view of how I got the letter, and what I did with it, than perhaps I was able to convey in my interviews yesterday and this morning.

"I beg, &c.

"To A. Malet, Esq."

(signed) "J. Morris."

17. The anxiety of Mr. Morris to detect and punish an individual who had substantially forged his name, and had represented him as employed in rendering underhand services to a member of Council, seems to have been of a very mild and patient character. Most honourable men would have chafed at the three months' delay that had occurred in transmitting the letter, and they would have made the matter a subject of reference to their official superiors. But so lightly did it rest on Mr. Morris' mind, that in his examination, taken at the instance of Mr. Frere, on the 28th August 1851, he thus expressed himself: "I gave it (the letter) to Mr. Malet two or three months ago, at his request. Had he not asked me for it, it is probable I would not have given it to him, as I saw nothing in the matter that required me to do so."

18. The "waistcoat pocket" story, and the further adventures of the letter between its receipt by Morris in June 1849, and its being placed in Mr. Malet's hands in April 1851, require no comment. But it is instructive to observe the light which Mr. Morris' statements throw on the morality of the Secretariat.

19. At least three of the employés in that establishment, including the highly-trusted and generously treated head clerk, though cognizant of the existence of a letter which seriously affected the reputation of an ex-Governor and ex-member of Council, and which distinctly proved that somewhere or other there were traitors in Government employ, did not deem the circumstance of sufficient importance to be brought to the notice of their superiors. Like Mr. Morris, they probably "saw nothing in the matter that required them to do so."

20. Enclosed in Mr. Morris' letter to Mr. Malet was the communication to the address of the former, in which Keshow Row transmitted the letter of the 3d of January 1849.

(Keshow Row's Letter.)

"My dear Sir,

"Bansda, 20 June 1849.

"I beg to enclose herein the secret note of which I spoke to you when I last met you in Bombay. My father is very anxious to find out its author. If you succeed in tracing him out you will very highly oblige us by informing me of the same. When you are done with it, be pleased to return me the note. You will perceive that the envelope bears the post-office stamp, but on inquiry in the Bombay post-office I learnt that its records could furnish us no clue to find out the rogue, for the names of the parties sending bearing letters through post are not registered, as we supposed. Pardon my not having written to you earlier on this subject, as I had promised to do.

"I have got another note of the same description, but it is anonymous, and purports to come from an old school friend of mine, while the one I now send you purports to come from you, though in the signature your name is not properly spelt. If you like, I can send you the other note also; but I must at the same time inform you that the handwriting of both the notes is not the same.

"The object of the anonymous note was to alarm my father, while that of the other was to entrap him; and the mis-spelling of your name is certainly a clever trick, which I think must have been purposely done by the writer, (partly) with the view of escaping punishment, should he be detected. * * *

"Excuse the trouble I give you. I could not stop in Bombay to make myself acquainted with your son, yet I wish you will present him my best salams.

"Hoping to hear from you soon,

"I remain, &c.

(signed) "Keshow Row."

"P. S.—Please direct your answer as follows:

"Keshoo Nursing, Manager of Bansda,

"To the care of Mr. Andrews, Agent for Surat."

The anxiety of Keshow Row to gratify his father, by discovering the writer of the letter, seems to have been of the same mild and unimpulsive character as that which actuated Mr. Morris. This will be illustrated by subjoining extracts from his depositions, as taken by Mr. Frere, during the commission appointed to try Nursoo Punt; and to show the harmony subsisting between the versions of the same story given by Nursoo and Keshow Row, I shall place their allegations side by side in parallel columns.

Mr. Morris.

Keshow Row.

"I got this letter (the original) from my father in about January 1849, and he directed me to try to find out the writer thereof; and as I intended to go to Bombay myself, I did not write to anybody on the subject until I went. It was about March 1849. My servants unfortunately left; the Dufter was at home; I learned this only upon my arrival in Bombay, when looking for the paper; and as the letter purported to come from Mr. Morris, I went to that person in the Sudr 'Adawlut, and informed him of the purport of it, and told him, as I suspected some of my father's enemies had played that trick, I would be much obliged by his discovering the author of it."

Deposition

*Mr. Morris.**Keshow Row.*

Deposition on the 15th August 1851.

"I went to Bombay in March 1849, for two or three reasons; to see friends to the Grant Medical College for advice." * * * "I went chiefly to Bombay to see old schoolfellows. I went particularly to see Mr. Reid at his place, but could not see him. I met him accidentally at the Secretariat. I went to and came back from Bombay within about a week. I only called once at Mr. Reid's, and could not see him. I did not mention to Mr. Reid, at the Secretariat, anything about this letter of Mr. Morris, nor to Mr. Malet." * * *

"Our conversation was cursory, but it related principally to his wish to see Mr. Reid, who was living with Mr. Bell, and to his having failed to obtain an interview that morning (3d or 4th of March). He also spoke of the letter, which I pressed him to show me, and he promised he would do so, after consulting with his father, when he returned to Goozerat.

"He appeared to hesitate about letting me have the letter at first, but I urged him to do so, with the view of discovering who made such a use of my name. He then seemed to fall into my views, and promised to send it."

"The main object I had in going to see Mr. Morris in Bombay was to speak to him about the note. I do not exactly remember whether I told him how I came not to have the note with me. Mr. Morris did not ask for the note; I offered to send it. I did not say anything to him about consulting my father before sending the note." * * *

"I am certain that the note was the principal subject of my conversation with Mr. Morris, not the wish to see Mr. Reid."

"I am quite certain that the three months (and no part of it) that elapsed between my return to Surat and sending the letter to Mr. Morris was employed in consulting my father whether to send it or not."

Keshow Row's Examination of 8th September 1851.

"It was sent to me by Keshow Row, the son of Nursoo Punt, through the post-office."

Pitamber. I told him it was an important paper, and that I should feel obliged by his personally delivering the same to Mr. Morris, and bringing it back to me again, with Mr. Morris's answer. I was in Baroda when the merchant returned; and on my return to Surat (about two months after sending the letter), he gave me Mr. Morris' answer, to the effect that Mr. Morris had been unable to trace the author; and writing from office, the letter was at home, so he would return it by some future opportunity." * * *

"As far as my recollection serves me, he asked for it twice back, by letter."

"Nursoo Punt asked me to return the letter, and I told him that I could not put my hands on it, and that I was afraid it was lost. I promised to search for it, and send it to him when I found it. His manner more than his language induced me to believe he was anxious on the subject, *i. e.*, the return of the letter."

Mr. Morris' Examination, 28th August 1851.

Keshow Row's Examination, 15th August 1851.

"On my return to Surat, I went to Baroda, I think, immediately, and there fell sick, and could not return to Surat till about June.

The note was in my papers at Surat, but I think I left that evening. I took the note with my papers to Baroda, because I did not like to send it by post, so long as I could send it by a private hand. I cannot say why I did not mention the reason of the delay to Mr. Morris' deposition, 8th September 1851."

"The impression on my mind that I actually sent extracts C. and K. to Mr. Morris, with Dyaram, was so very strong that the word "paid" did not shake my belief. But when I observed in Mr. Morris' answer that he got my letter from Baroda through the post, I referred to a copy of extract K., and found it dated from Baroda; and ever since, I have begun to think whether, on finding that I could not then return to Surat, or rather that Dyaram, or any friend, was not going over to Bombay, I may not have made up my mind to send it to Mr. Morris by post,* to avoid further delay, and done

SO

* N.B.—Keshow Row had previously deposed, on oath, not only that Dyaram was the bearer of the letter to Mr. Morris, but that he brought back Mr. Morris' answer.

Keshow Row.

so accordingly. At the same time, I feel so certain of having asked Dyaram to take my letter on the subject to Mr. Morris, whenever he went to Bombay, and of having at least sent it with him, that unless I subsequently wrote to Mr. Morris with that man, (inquiring whether the letter I had already sent by post had reached him, and if he had succeeded in tracing the author), my first impression of having sent K. with Dyaram should be correct.”—(Keshow Row’s Letter to Mr. Frere,* dated 9th September 1851.)

21. It was very obvious that either Keshow Row or Mr. Morris has deliberately perjured himself. It is difficult to believe that both have not done so; and the conviction will, I believe, force itself on most impartial minds, that the letter of the 3d January 1849 was actually written at the instance of Mr. Morris; that Mr. Morris, in his conversation with Keshow Row, finding that the letter had been shown about, was anxious to get it back into his possession; that it was agreed that Keshow Row should send such a letter as that which he actually addressed to Mr. Morris on the 20th of June; that Keshow Row and his father had difficulty, indeed, to implement the promise of the former, and that when the letter was obtained, Mr. Morris showed it to one or two of his friends, merely that in the event of any future descriptions regarding it, he might be in a position to say he had taken measures to discover the authorship of the documents. But whatever be the light in which the matter is viewed, it indicates a lamentable state of morality in the Secretariat; and taken in connexion with the “Craig” and “Cole” business, it will give the Honourable Court some faint idea of the extra-official difficulties with which their political officials have to contend.

22. Since this Appendix was written, additional facts have been elicited, illustrative of the moral of the Bombay Secretariat; but as I mean to make these matters the subject of a second, or supplementary Khutput Report, I shall say no more at present.

(signed) *J. Outram*, Resident.

(True copy).

(signed) *J. Outram*, Bt. Lieut.-Col.

Appendix (B.) to Khutput Report, Part II.

EVIDENCE relative to two Charges of BRIBERY against Nursoo Punt, late Native Agent of the Baroda Residency, transmitted to Government on the 16th April 1851, with the “Statement of Facts” relating to Nursoo Punt.

REPORT.

Baroda Residency, 6 April 1851.

A PRIVATE memorandum was, on the 31st July 1850, found among the pecoute papers of Baba Nafra Moonim Goomashta, of the firm of Hurree Bhugtee, of which memorandum the following is a translation:—

Translate of a Memorandum, dated St. 1901 (A.D. 1845).

<i>Dr.</i>	Kurch Khata.
Ready cash from the firm of Paruck Hurree Bhugteedass, on Vysake Sood 6th (A.D. 12 May).	By ready cash paid to Assharam Purboodass, for Nursoo Punt
	Tatia - - - - - Rs. 20,000

2. This led to an inspection of the books of Samul Bhugtee, in the “Khurda” or “Roz-mail” of which the following entries were found; the 20,000 rupees item being, it will be seen, entered as “leetee khata” (blank), and carried on from year to year, as is the custom with this firm to enter sums paid for the benefit of the firm as bribes to those pledged to forward his interests in a pending suit, on the final decision of which the money is struck off if the cause is gained, or refunded should it be lost.

3. From the following entries it will be observed that the first payment was in 1845. Corresponding in date with Baba Nafra’s private memorandum, it discloses the fact to whom the money was paid, and that the item has continued to be debited as “leetee khata,” annually, up to the present time. This denotes that some important suit, involving the interests of Hurree Bhugtee, was about to come before the British Government, in which it was hoped to influence the Resident, through his native agent, Nursoo Punt, but that up to the date of the last entry (1850) the case still remained unsettled. Such a suit, I find, was pending in 1845, between the sons of Gungudhur Shastree and Hurree Bhugtee, involving a claim

* *N.B.*—Written in consequence of seeing Mr. Morris’ letter subsequent to his examination on the previous day.

a claim between the parties of nearly 14 lakhs of rupees ; and I further find, that on the 18th April 1845, (one month prior to the payment of the money,) the Chief Secretary to Government communicated to the officiating Resident its decision, that in nominating a punchayet to decide the dispute, the Guicowar should have "no voice in selecting an umpire;" and that the most "advisable plan, in the opinion of the Governor in Council, is to allow the punchayet to meet, and if they cannot settle the points at issue, for Government to decide the points at issue, or hereafter to appoint an umpire for that purpose." This decision virtually placed the settlement of the case in the hands of the Resident, and rendered it well worth the while of the firm to purchase the influence of Nursoo Punt, if even only to secure it from being exerted on behalf of their opponents, for they could not but believe that the confidence and trust reposed in that individual must have considerable weight with the Resident.

4. It will be seen, moreover, that on the 26th May of the following year a sum of 500 rupees was debited as paid to Meer Surfraz Allee, which entry also has been continued up to the past year. There can be little doubt this was a similar retaining fee for the influence of the Meer, which was supposed to be great with the then newly appointed officiating Resident, and might prove useful in support of the exertions of Nursoo Punt. This entry is not "leete khata," however, for Meer Surfraz Ali, being a subject of the Guicowar, who was a partner in the firm, was equally interested in the success of the suit ; the same necessity did not exist for the concealment of his name as the recipient of money from the bank that there was in the case of Nursoo Punt, a servant and subject of the British Government.

5. It will be in the recollection of the Honourable Board that the case here referred to continued under discussion until the final determination of Government, "that the British Government should exercise no further interference between the parties than is requisite to prevent them from molesting each other, until the members of the firm specifically prove, in the manner pointed out in the 4th and 5th paras. of Mr. Boyd's letter of the 28th October 1839, that the Shastree's sons are in equity bound to pay rupees 3½ lacks, or any portion of the 14 lakhs above alluded to," communicated to Captain French by the Chief Secretary on the 21st September 1849, and confirmed by the Court of Directors, as communicated to me on the 28th May 1850, No. 2,494.

Translated Extract from the Khurda, or Rozmail Chopras, of Samul Bhugtee's Firm, for Sumvut 1901 (1845), leaf 85.

Cr.

	<i>Dr.</i>
Vysakh Sood 6th (12 May) - - -	Rs. 20,000
Paid by ready cash this Khydmutdar	
Hurreeo - - - - -	Rs. 20,000
(Vide Owra, leaf 27.)	

Extract from the Fifth Entry from the debit side of the Khurda Chopras of Samul Bhugtee's Firm, for Sumvut 1902 (1846), leaf 83.

Cr.

	<i>Dr.</i>
Vysakh Vud 11th (21 May 1846) -	Rs. 500
Ditto, by order of Baba Sahib, paid to	
Meer Surfraz Ali - - - - -	Rs. 500
(Vide Owra, leaf 23. Vide Khata, leaf 50.)	

Extract from the Khutavye Chopra of Samul Bhugtee, compiled from the Khurda for Sumvut 1901 (1845), leaf 27.

Account for Sumvut 1901 (1845).

Cr.

	<i>Dr.</i>
Balance in leaf Vysakh Sood 6th -	Rs. 20,000
(Vide leaf 23 of new Khata.)	

Extract from Khatavye Chopra of Samul Bhugtee, compiled from the Khurda of Sumvut 1902 (1846), leaf 23.

Account for Sumvut 1902 (1846).

<i>Cr.</i>	<i>Dr.</i>
	Balance (<i>vide</i> leaf 27) - - - - - Rs. 20,000
	<i>Vide</i> leaf 83, Vysack Vud 11th (May 21) Rs. 500
	(<i>Vide</i> leaf 21 of new Khata.)

Extract from the Khatavye Chopra of Samul Bhugtee, compiled from the Khurda for Sumvut 1903 (1847), leaf 21.

Account for Sumvut 1903 (1847).

<i>Cr.</i>	<i>Dr.</i>
	Balance (<i>vide</i> leaf 23) - - - - - Rs. 20,500
	(<i>Vide</i> leaf 21, of new Khata.)

Extract from the Khatavye Chopras of Samul Bhugtee, compiled from the Khurda for Sumvut 1904 (1848), leaf 21.

Account for Sumvut 1904 (1848).

<i>Cr.</i>	<i>Dr.</i>
	Balance (<i>vide</i> leaf 21) - - - - - Rs. 20,500
	(<i>Vide</i> leaf 19, of new Khata.)

Extract from the Khatavye Chopras of Samul Bhugtee, compiled from the Khurda for Sumvut 1905 (1849), leaf 19.

Account for Sumvut 1905 (1849).

<i>Cr.</i>	<i>Dr.</i>
	Balance (<i>vide</i> leaf 21) - - - - - Rs. 20,500
	(<i>Vide</i> leaf 19 of new Khata.)

Extract from the Khatavye Chopras of Samul Bhugtee, compiled from the Khurda for Sumvut 1906 (1850), leaf 19.

Account for Sumvut 1906 (1850):

<i>Cr.</i>	<i>Dr.</i>
	Balance (<i>vide</i> leaf 19) - - - - - Rs. 20,500

6. To explain how the memorandum was found among Baba Nafra's private papers, I will here quote paras. 6 to 14 of my Report on the Andrew's case, dated 14th December last, describing the discovery of a similar document on the same day, the only difference being that one day interfered between their discovery respectively :—

“ EXTRACT.

“His Honor in Council is aware that I have recently been engaged in an investigation connected with the case of Seetanee Joitabae, a widow lady, who was, through the villany of Baba Nafra, the head goomashta, or manager of the late Hurree Bhugtee, subjected to the most atrocious calumnies, to the abduction of her child, and to deprivation of her property.

“In the course of my inquiries it came to my knowledge that Baba Nafra had perpetrated his iniquities through the agency of unprincipled individuals, bribed to perjury and other crimes from out of the funds of the banking house of which he was manager; in other words, from out of funds in part the property of the victim of his horrible machinations.

“Under these circumstances, I applied to his Highness the Guicowar, as well for the books of the firm of Hurree Bhugtee, as for the private papers of Baba Nafra, which I requested

I requested might be seized by the authority of the Durbar, sealed up, and sent to the residency for formal examination. Both sets of documents were necessary to enable me to trace out the Baba's misdeeds, for, as his Lordship in Council must be aware, it is not unusual for native bankers and merchants, who had recourse to fraudulent proceedings of the nature of those under notice, to falsify their accounts in various ways, and with much ingenuity, with a view to prevent them betraying the real nature of the transactions.

"To elicit the truth, therefore, with inquiry which I was about to conduct, it became highly desirable not only that I should have the means of collating the private account of Baba Nafra with the books of the house which he managed, but that I should submit both sets of documents to the scrutiny of men well qualified, by their experience in native book-keeping, to unravel and expose the ingenious intricacies and artifices by which such characters as Baba Nafra attempt to prevent their accounts revealing the exact nature of their disreputable transactions; and to a committee of such men did I submit the documents sent to me by order of his Highness.

"This committee was composed of an officer who attended on the part of the Durbar, of a carcoon in the office of Captain Fulljames, of my native agent, and of several of the goomashtas of Hurree Bughtee's house, aided by three of the residency carcoons, and the residency moonshee, whose duty it was to read and copy the papers. The proceedings of these individuals were conducted under my personal supervision.

"Of the general proceedings of the committee it is not necessary that I should here speak. My investigations in reference to Baba Nafra's nefarious practices in this case will soon be communicated to Government, and his Lordship will then learn that the Baba effected his criminal designs against the reputation, property, and happiness of his master's widow, through the subornation of perjury; secured by the expenditure of funds in part her own, and of which he was the confidential custodian.

"It is not, however, irrelevant to observe, that had Baba Nafra's papers been summarily seized, as I requested, and as the Guicowar had authorised, I have good reason for believing that I should have been in a position to submit to Government satisfactory evidence of several other disgraceful attempts on the part of that individual to tamper with the fidelity of the servants of Government, as well European as natives, both on his own account, and as the agent of others: unfortunately, however, the officer dispatched by his Highness to seize the Baba's papers, instead of at once attaching them, and sealing them up, left them undisturbed till next day; and when, on the morrow, wondering at the delay which had occurred, I sent the native agent, with the Guicowar's sanction, and accompanied by one of his Highness's officers, to see about the matter, the Baba was found engaged in sorting his papers, the more important of which he had already destroyed or secreted, in anticipation of the seizure, of which, unfortunately, he had received warning. The arrest, however, happily took place before he had time to dispose of all the traces of his villany.

"Such papers as were found were sealed up and brought to the residency, and were subjected to an examination by the committee of natives above enumerated.

"In the course of that examination a private memorandum of Baba Nafra's came to light * * * * *. The party whose property the memorandum was, had long maintained a disgraceful notoriety as a persistent dealer in bribery, and other cognate crimes. The memorandum was a private one, obviously designed only for his own reference and satisfaction, and it had been found in a bundle of papers which bore evident traces of not having been opened for some time; in one of several bundles bearing similar traces, which he had not time to examine prior to the seizure, his attention having been principally directed to those papers having a reference to the immediate subject of my inquiries. A comparison of this memorandum with the public chopras (account books) left no doubt on the minds of an intelligent body of men (peculiarly qualified to judge by their long familiarity with native accounts) that it referred to sums of money which had actually been received and disbursed for unlawful purposes, the precise objects of which the Baba wished to conceal from any one into whose hands the memorandum might, by any untoward accident, happen to fall."

7. My next step was to ascertain by whom this private memorandum of Baba Nafra's had been written. The goomashtas present at the residency, who were called before the committee of examination, and shown the documents, were all of opinion that it was in the handwriting of Bulvunt Row, Baba Nafra's brother. That person was accordingly summoned, and on the 2d August attended before me, but, as was to be expected, denied all knowledge of the paper. He was then directed to write copies of it before me, for the purpose of being compared with the writing of the memorandum. He did so; and the pains he took to disguise his usual handwriting was so obvious as to excite the merriment of the committee and goomashta who were looking on. Subsequently other papers written by Bulvunt Row were found among those of Baba Nafra's, the authenticity of which, being signed by him, Bulvunt Row was obliged to admit.

8. When the papers were compared before me there appeared no difference of opinion among those present as to the memorandum being in the handwriting of Bulvunt Row; but the sowcars objected to give their opinions in writing until they had obtained permission of the Durbar; accordingly I directed them to return on a subsequent day, to deliver their opinions in writing. They did so on the 11th, when they delivered their reply to one of my queries, as to the nature of the transaction referred to in the memorandum, as follows:—

Extract from Queries put to the Principal Sowcars of Baroda, on the 5th August 1850.

Question.

"A Mahratta yad of 20,000 rupees, dated Vysaik Sood 6th, Sumvut 1901 (12th May 1848), was found in the duftur of Baba Nafra, and in the chopra of the same year this item is written as 'leettee khata' (blank), and the amount delivered to Hurreea. But at the time Bechurbhaee was living, and after his death other items have been similarly written, but of which no memo. have been kept in the chopra, nor is it stated to whom it was delivered; what can be reason of this?"

Answer, on the 11th August.

"While the Sett was living, mention being made to whom the money was delivered ('astuck'), and so, after his death, shows clearly that there was fraud on the part of Baba Nafra." Dated Shruvun Sood 4th, Sumvut 1906 (11th August 1850).

1. (signed) Gopul Row Myral.
2. " Khooshallchund Ambaedass.
3. " Samuldass Bechurdass.
4. " Munguldass Suckteedass.
5. " Ruttonjee Kandass.
6. " Hemchund Vuckutchund.
7. " Hattisingk Kurnsing.
8. " Nanchund Suggundass.
9. " Kandass Wagjee.

9. It will be seen that the question as to the handwriting of the memorandum was not replied to by the sowcars, who had declared that it ought to be referred to the Durnee goomashtas, who were, they said, more conversant in such matters than themselves; and accordingly I had, on the 8th August, forwarded the document to the Durbar, together with the writing which Bulvunt Row had made in my presence, and also the specimens of his writings, which had been obtained for the purpose of being compared.

10. The Durbar subsequently, on the 29th August, transmitted the reply of the goomashtas, dated 10th idem, to the effect thus stated in the yad: "The moonshee, and others whose names are mentioned in the yad, having been called and interrogated, the paper of questions is returned; from which it appears that, in the opinion of the moonshee and others, the writing of the memorandum of the 20,000 rupees does not correspond with the handwriting of Balwunt Row Nafra, but it is the opinion of Ramchunder Gopal and Bhyjee Wyjnath that the handwriting does correspond." It is easy for those who have perused my report on the Joitabae case, to understand how those who were, on the 2d of August, unanimously impressed with the conviction that the handwritings were the same, had been brought over, on the 16th, to declare they were different. My only surprise, knowing as I did the influences at work to screen Baba Nafra, was, that even two of the goomashtas could be found honest enough to maintain the truth. Of the identity of the handwriting of Bulvunt Row, Baba Nafra's brother, with that of the memorandum, there is no doubt, I believe, on the mind of any of the people, and it can be proved at any time, by the submission of the papers to the inspection of incorrupt men; but the point is of little consequence, for the document was found in a bundle of Baba Nafra's private papers, opened in my presence, and the appearance of which showed they could not have been opened for some years. And it is less necessary to establish by whom the document was written, as there is direct and positive proof of the money having been taken to Nursoo Punt's house by Hurree Khidmutgar, the person, as stated in the memorandum, through whom it was paid, and of the money having been taken from the firm of Samul Bhugtee, by order of Baba Nafra, for payment to Nursoo Punt.

Appendix A I.
No. 1.

11. These facts are proved by the following evidence:—1st. The depositions, on oath, of Doolul, one of the principal goomashtas of the firm, who took out the money of Baba Nafra's order at nine o'clock at night, and delivered it to Hurreea Khidmutgar, and who declared that he was informed, at the time, that it was taken to Assaram, for payment to Nursoo Punt, "on account of the dispute between Gungadhur Shastree and the firm; but that the place for writing his name (in the chopras) was to be left blank for this reason, the sum was entered as having been made over to Hurreea, and the name of the person for whom it was intended was left blank." 2d. Of Bappoojee Killedar, who was associated with Damodhur in the transaction, and confirms his testimony. 3d. Of Hurreea Khidmutgar, who states that, by direction of Baba Nafra, he brought at night 20,000 rupees, in 10 bags, from the firm to Baba Nafra's house, who there delivered the 10 bags of rupees to Asharam, into whose cart Hurreea put the money; that Asharam then drove the cart to Nursoo Punt's house, accompanied by Hurreea, and that, on arrival at Nursoo Punt's house, Asharam took the bags into Nursoo Punt's house.

Appendix A I.
No. 2.

Appendix A I.

12. The evidence of these witnesses was taken the day after the memorandum was found (1st August) and was most reluctantly given, that of Dumodhur especially, who is a devoted adherent of Baba Nafra; but at that time it was supposed that I had far more extensive proofs of the Baba's villainy than I really possessed; that all had come to light, and that there was no longer any use in attempting to deny this particular transaction, which they were well aware was of very minor importance, either as respected the object of the bribe or its amount, to the far more extensive and criminal transactions of a similar nature connected with the Joitabee case, which was the particular object of inquiry.

13. In the course of the examination of these witnesses, the name of a labourer, Pur-shotum,

shotum, having been mentioned by Hurreea as having assisted him in receiving the money bags, he also was summoned and examined next day (2nd August), and his testimony entirely confirmed that of Hurreea.

Appendix A I.
No. 4.

14. As the disclosures of these witnesses had been induced apparently by the idea that far more of Baba Nafra's transactions had come to light than was really the case, I apprehended they would try to retract or modify their evidence, when again examined; I therefore took advantage of the opportunity of the Judicial Commissioner's visit to Baroda again to summon the witnesses, without previous notice; and on their arrival at the residency, to subject them to examination, conducted by the sheristadar of that functionary's court in my presence.

15. On being again separately questioned, each requested his former deposition to be read over to him, but they were told that no such refresher to their memories would be furnished to them, for that if what they had previously stated was the truth, there could be little fear of the facts being forgotten, but that if their present statements at all differed from their former depositions, there would be ground for questioning their veracity. Their statements were then taken down, they were cross-examined by the sheristadar, and the result was, entire confirmation of what they had previously deposed.

16. The depositions taken on the second occasion, are also appended, marked (A II.),* and on this and the previously recorded evidence (A I.), together with Baba Nafra's private memorandum, stating that the money was paid to Nursoo Punt, confirmed as it is by a corresponding item of disbursement debited in the chopras of the firm, of the same date, can, I consider, leave no doubt that Nursoo Punt really did receive this sum.

(signed) J. Outram, Resident.

(True copy.)

(signed) A. Malet, Chief Secretary.

Appendix A I.

No. 1.

TRANSLATE of the Statement of Damodhur Doolub, Goomoshta of Hurree Bhugtee, taken before the Resident on the 1st August 1850.

Question. You are the Mooktier Goomashta of the firm which is carried on in the name of Samul Bhugtee; state therefore by whose order, and for whom, was the sum of 20,000 rupees given, which appears in the chopras of the year 1901, entered on 6th Wysak Shood, as having been made over to Kismutdar Hurreea?—*Answer.* About five, or five and a half years ago, I forget date, while Baba Nafra was sitting in our Shett's house, he sent for Bappoojee Killadar and myself, at eight o'clock at night, and told us to give Kismutdar Hurria 20,000 rupees; upon which we went to the shop and took out 10 bags, containing 20,000 rupees, and gave them to Hurreea, who took them away; about two or three days afterwards I asked Bappoojee Killedar in whose name the money was to be entered in the chopras; he replied that Baba had told him he had sent the money (20,000) to Asharam Purboodass, to give Nursoo Punt, the Residency Dufterdar, on account of the dispute pending between Gungudhur Shastree and the firm, but that the place for writing his name was to be left blank; for this reason the sum was entered as having been made over to Hurreea, and the name of the person for whom it was intended was left blank.

A. D. 12 May 1845.

In the same chopra, on the 3rd Poush Vud, there appears an item of 1,000 rupees, and on 11th idem, another of 300 rupees, as having been made over to the same Hurreea; how do you account for this?—These sums were paid by Bappoo Killidar to Kismutdar Hurreea, by order of Baba Nafra, and I entered them in the chopra as I was directed by Bappoo, but I don't know for whom they were intended, or what became of them.

26 January.
3 February.

You say that the sum of 20,000 rupees was given to Asharam by order of Baba Nafra, to be presented to Nursoo Punt; but what have they to say to each other?—Asharam and Nursoo Punt are great friends, and are of one mind, which is known to all Baroda; for this reason the money was given to the former, for presentation to the latter.

If the money was given to Asharam for Nursoo Punt, what reason was there for entering it in that blank form?—When money is paid in this way, the name is not written; it is always entered in a blank form as this was done.

* To which is added further testimony subsequently taken respecting the handwriting of the memorandum.

No. 2.

STATEMENT of Bappoojee Khoobeir, Hurree Bhugtee's Goomashta, 1 August 1850.

Question. WHERE did you formerly serve as goomashta, and how many years did you serve?—*Answer.* Since the year 1868 (A. D. 1812), I have served the firm of Hurree Bhuktee. In the year 1878 (A. D. 1822), the keys were given into my charge, and remained with me up to the year 1903 (A. D. 1847), when in the month of Falgoon Shood 11th (25 February), on Joitabae's child being pronounced spurious, they were taken from me by Baba Nafra.

The question put, No. 1. above recorded, were put to this witness, and his replies tally exactly with the above.

No. 3.

STATEMENT of Kismutdar Hurria, of the firm of Hurree Bhugtee, 1st August 1850.

Question. ARE you in the employ of Hurree Bhugtee; if so, what is your office, and how long have you served?—*Answer.* I have been in the employ of the firm for 24 years, was formerly a chuthree bearer, and Rama Keetmudgar was in charge of the treasury; when he went to his house in Bissanuggur, during the life of Shet Bechurbhaee, the treasury was made over to my charge, and remained so for two years; when the Shet died, Baba Nafra took from me the keys, and kept them himself; whenever he had occasion to get anything out of the treasury, the keys were sent to me by some of his confidential people, who accompanied me to the treasury, and when no longer required, the keys were returned to Baba; such has been the custom up to this date.

With what portion of the treasury were you entrusted?—I had charge of the treasury containing ornaments and clothes.

In the chopras of 1901 (A. D. 1845), there appears an item of 20,000 rupees, as given to you, but for whom, is left blank; state to whom this sum was paid, by whose order, and for what purpose?—About five or six years ago, I forget the date, one day when my Shet was unwell, Baba Nafra, who was sitting at the house, told me when it was dark, to get from Bappoo Kelladar's some money, and take it to his house; about nine o'clock at night Bappoo, in allusion to what Baba had said, told me that he had got 10 bags of rupees all ready, which he gave over to me. Two of these bags I took away at about 10 o'clock to Baba Nafra's house, who was then living in the house which is now a temple; Baba was sitting in the door-way, and told me to put the two bags of rupees in his house, which done, I returned, but considering that I could not by myself take away the remaining eight bags quickly, I called Purshotum, a labourer, and in two journeys we delivered the whole 10 bags at Baba's house, and all were taken in by him, he was then alone; this done Purshotum went away, and I remained with Baba; while there Asharam came up in a cart, and began conversing with Baba away from me; Baba afterwards told me to bring the bags of rupees and put them into Asharam's cart, which was done accordingly. Asharam then got into the cart and started for Nursoo Punt's house; Baba told me to accompany him, and after making over the rupees from the cart, to go home; Purshotum, the Gharriwalla, and self were the only persons present. On arrival at Nursoo Punt's house, I took out the bags, and Asharam placed them in Nursoo Punt's house, giving me leave to go home, which I did. This is all I know.

What is the name of Asharam's Gharreewalla?—I don't know.

Where is Purshotum now?—He is in the employ of my Shet.

Did you ever inform the Shet of this business of having taken away the rupees?—The Shet was unwell, therefore I never said anything about it, neither did he ever ask me.

When Asharam and you went to Nursoo Punt's house with the cart and rupees, where was he?—The night was dark, and I could not see whether Nursoo Punt was there or not, but I took out the rupees from the cart, and Asharam's Gharreewalla took them into the house.

At that time where was Nursoo Punt residing?—To the best of my recollection he was living just opposite the house of one Kaka Sahib, in Baroda.

No. 4.

STATEMENT of Purshotum Bechur, Labourer, of the Firm of Hurree Bhugtee, 2 August 1850.

Question. USED you ever to be employed by the firm of Hurree Bhugtee as a labourer?—*Answer.* From the time of my father I have lived in the Guavary of the firm, and worked for them.

About five or six years ago did you ever accompany Hurreea to the house of Baba Nafra, and assist in carrying bags of money?—About five and a half years ago, I forget the day, one night at about nine or 10 o'clock, I was sent for by Kismutdar Hurreea, and told that there were 10 bags of rupees to be taken to Baba Nafra's house, two of which he had already delivered, and that for the removal of the other eight I was to accompany him,

and

and I should receive payment for my trouble. I accordingly went with him to the Shet's house, and together in two trips we carried the eight bags to where Baba was living, the place now occupied by the god Rumjee; at that time Baba was sitting alone in front of the house. After I had put the bags in the house, Baba told me to go away and to let Hurreea sit down, upon which I returned to my house, and Hurreea remained with Baba; the next or third day Hurreea gave me from the granary four seers of grain.

How many rupees do you suppose the bags contained which you took away?—Each bag contained about 2,000 rupees.

In what part of Baba's house did you place the bags?—I put them where Baba told me, in a room.

Before this, did you ever in like manner take bags of money to Baba's house?—No; this is the only time I ever took bags of money to his house.

When you took the money to Baba's house, was anybody else there besides Hurreea and yourself?—No, there was nobody else.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

(True copy.)

(signed) *A. Malet*, Chief Secretary.

Appendix A II.

No. 1.

TRANSLATE of the Deposition of Bappoo Koobeirdass; Religion, Hindoo; Caste, a Veesaland Banian; Occupation, Goomashta at the Firm of Hurry Bhugtee; aged about 59 years; Inhabitant of Baroda; taken upon oath before the Resident, on the 8th February 1851.

Question. FROM what time have you been employed at the firm of Hurree Bhugtee, and what are the duties you perform there?—*Answer.* I have been engaged to the firm of Hurree Bhugtee from the year Sumvut 1867 or 1868 (1811–1812) as a goomashta, and in the year Sumvut 1878 (1822) I was appointed to the office of Potdar, and placed in charge of the keys, and I continued in this appointment up to Phagoon Sood 11, Sumvut 1903 (25 February 1847); after which Baba Nafra took the keys away from me and appointed another person in my place. After this I requested the Baba to reinstate me in my appointment, but the Baba informed me that he could not then reinstate me, because the Settanee's case was being investigated, but that upon the termination of the case, that I would be reinstated. Thus he promised me, and notwithstanding I used to daily attend at the firm, it was only on the 13th Shrawun Sood, Sumvut 1906 (20 August 1850), that I was reinstated in my former appointment by the elder Settanee and the Mooneem Petamberbhaee, the duties of which post I at present discharge.

On what date did your Sett die, and after the Sett's death, who used to keep the account of the money disbursed from the firm?—On Bhadurwa Sood 2d, Sumvut 1901 (3 September 1845), the Sett Bechurbhaee died, and from the above date I used to keep the loose memorandum of the amounts disbursed by the firm obtaining under the name and title of Samul Bhugtee. But the firm in the name of Hurree Bhugtee is separated, and the loose memorandums of which were kept by Bhyejee Ghailla, and from such memorandums the khurda is written by goomashta Itchuram, and the khurda of the firm to which I belong is kept by Hurreeelull Dhajee.

You are requested to particularly explain everything that you are aware of connected with the item of 20,000 rupees debited as leetee khata in the 85th leaf of the khurda, on the 6th Vysank Sood, Sumvut 1901 (12 May 1845), and entered as having been disbursed through Kidmutgar "Hurrya"?—In Sumvut 1901, on the date above mentioned, Bachurbhaee Sett was alive; when one night about nine o'clock, my Sett Bechurbhaee being ill, was asleep in one of the rooms situated on the ground floor, Baba Nafra came upstairs from the Sett Bechurbhaee, and desired me to take out 10 bags, containing 20,000 rupees, and give them to Kidmutgar "Hurreea," which I accordingly did.

Did you receive any instructions from your Sett, or either of the two Settanees upon this subject?—No; Baba Nafra had given me orders only.

Of what currency were the rupees which you had as above stated taken out?—They were Babasye rupees, and of the Baroda city currency.

You having taken out and given the above amount to "Hurrya" Kidmutgar at night, did you ascertain where he took the money to, and to whom he gave it?—After the amount had been given to the Kidmutgar, he took and left it before the inside jamdarkhuna, but I cannot positively state when he took it away from thence.

Did you ask Baba Nafra how you were to notice this disbursement on the debit side of the accounts, and what answer did he make?—Either the same night in which the amount had been given, or the following morning, I asked the Baba how I was to debit this amount of 20,000 rupees, and the Baba instructed me to debit the amount by blank entry, as having been disbursed through Kidmutgar "Hurreea," but that the name of the party to whom given should not be inserted, and agreeably to which I noticed the sum in my memorandums.

To whom and for what purpose was the above disbursement made; if you know you are requested to declare?—My Sett had a pecuniary demand against Gungudhur Shastree; this case was at the time being investigated at the residency, and at this time Nursoo Punt was the residency dufterdar, and upon terms of much intimacy with Asharam Purbhoodass, an employ of the Guicowar Sirkar, and this said Asharam was one of the members of the punch appointed to adjudicate the claim my Sett had against the said Gungudhur Shastree, and for the purpose of its being given to Nursoo Punt the Baba had sent this sum of 20,000 rupees to Asharam; this I know to be a fact.

How did you become acquainted with the above?—From the servants belonging to the firm.

Did you make any inquiries about the delivery of this amount of the Kidmudgar “Hurreea,” or did Hurreea say anything to you about it?—I made no inquiries of “Hurreea,” neither did he say anything to me about it.

In the deposition formerly given upon oath by you before me on the 1st August 1850, you stated that Baba Nafra had informed you that this sum of 20,000 rupees had been sent to Asharam for the purpose of being given to Nursoo Punt, whereas at present you state that you learnt the above from amongst the servants of the firm; therefore how do you explain this discrepancy?—What I had deposed in my former deposition is the truth, and the statement I made above I was induced to from want of memory.

What necessity existed to resort to these “leete” khata entries, you are required to explain?—Sums paid to any person for any particular business which is required to be kept secret are entered “leete khata.”

The deposition made by you before me on the 1st August last is read over and explained to you, and you are required to declare whether it be in accordance with what you had then deposed to?—Yes, this deposition is in accordance with what I had at the time deposed to, and it having been recalled to my recollection, I beg further to add, that on the occasion of my giving the bags of rupees Goomashta Damodhur Dhullub was seated near me, and Baba Nafra desired both of us to take out and give the amount.

(signed)

Bappoojee Koobeirdass.
(In his own handwriting.)

Baroda Residency,
Dated 8 February 1851.

No. 2.

TRANSLATE of the Deposition of Damodhur Dhullub; Religion, Hindoo; Caste, Vyda Banian; Occupation, Goomashta in the Firm of Hurree Bhugtee; aged about 41 years; Inhabitant of Baroda; taken upon oath before the Resident, on the 9th February 1851.

Question. How long have you been employed at the firm of Hurree Bhugtee, and what is the nature of the duties you perform there?—*Answer.* On Assad Vud 1st, Sumvut 1901 (20 July 1845) my father died, after which I was employed at the Sett's firm, and from the above year a firm had been established in the name of Samul Bhugtee, and I am the Mooneem Goomashta of this firm, and discharge the duties of Mooneem.

You being the Goomashta of this firm, therefore you are interrogated as to an item of 2,000 rupees debited under the head of “leete khata,” on the khurda leaf 85, on the 6th Vysack Sood, Sumvut 1901 (12 May 1845), as having been disbursed through Kidmutgar “Hurreea,” and you are called upon to explain in which way this amount had been taken out of the firm, by whose orders, and to whom given?—On Vysack Sood 5, Sumvut 1901 (11 May 1845), about five o'clock in the evening, at this time, in the Dewankhana of my Sett, the Mooktar Mooneem, Baba Nafra desired myself and the Keeleedar Bappoojee to give to “Hurreea” Khidmutgar the sum of 20,000 rupees, upon which Bappoojee and I went from the Dewankhana to the firm, and about half-past six or seven o'clock the same evening Bappoojee opened the room and took out the sum of 20,000 rupees, contained in 10 bags, each bag containing 2,000 rupees, and the rupees taken out were of the city of Baroda currency, and this amount was given to “Hurreea,” and he took and placed the same before the Sett's “jandarkhana” outside; the same night, about seven or eight o'clock, “Hurreea” took this amount away, but I at the time did not know where he had taken it to, but subsequently on the second or third day, I inquired of Bappoojee under what head was the amount to be debited? when he replied, that having inquired of Baba Sahib he had been instructed to debit the amount by “leete khata,” and upon this I remarked to Bappoojee, that it was proper to debit by the leete khata, but to whom was the amount given, and where had it gone? to this Bappoojee replied that a case of Settjee's claim against Gungadur Shastree was being inquired into at the residency, and that Dufterdar Nursoo Punt had the business in his hands, and that consequently this sum of 20,000 rupees had been sent to Asharumbhaee's, for the purpose of being given to Nursoo Punt, and that this was given as a bribe in the above case, consequently space should be left blank for the entry of the party's name; that thus the Baba had said to him, and which Bappoojee communicated to me from the above cause; this amount was entered in the books as “leete khata.”

What necessity existed for sending this 20,000 rupees to be given to Nursoo Punt to Asharumbhaee, and what connexion existed between Nursoo Punt and Asharum?—Nursoo Punt and Asharum were of one mind and great friends, and this fact was also well known in the city of Baroda, consequently, through Asharum, for the purpose of being given to Nursoo Punt, was the amount sent to him.

If

Is it the usual practice in the firm to make these "leete khata" entries?—In cases of bribes, and when it is desired to be kept secret, such leete khata entries are resorted to.

Was Asharambhaee, a member of the punch, nominated to investigate the claim made by your Sett against Gungadhur Shastree?—Yes, Asharam was one of the members of the punch.

Bappoojee regarding this amount had informed you as above; but did you personally ask Baba Nafra regarding it, and did he (Baba Nafra) say anything to you about it?—Yes, when I asked him, he too desired me to write the entry as he has instructed Bappoojee.

Did you inquire of "Hurreea" Keedmutgar about his having delivered the above amount, or did he say anything about it?—Neither did I make any inquiry of Hurreea, nor did he say anything to me about it.

Did Settjee give either yourself or Bappoojee any orders for the taking out of this 20,000 rupees, or did either of the two Settanees say anything to you about it?—I received no orders from either of the three parties named above, but I received my instructions from Baba Nafra, and by his orders the amount was taken out and given.

Where is Assaram at present?—Assarambhaee died about the year Sumvut 1902 (1846).

On the 1st day of August 1850 you gave your deposition before me, which deposition is now read and explained to you, and you are called upon to certify whether it be in accordance with what you had then deposed to or not?—The deposition being read over and explained to me, I declare that it is in accordance with what I had deposed to on that occasion.

(signed) *Damodhur Dhullubram.*

(In his own handwriting.)

Dated 9 February 1851.

No. 3.

TRANSLATE of the Deposition of Purshotum Bechur; Religion, Hindoo; Caste, Khutree; Occupation, Labourer; aged about 28 years; Inhabitant of Baroda; taken upon oath before the Resident, on the 9th February 1851.

Question. USED you to attend at the firm of Hurree Bhugtee for the purpose of following your occupation as a porter; and if you used to do so, you are required to state from what period?—*Answer.* During my father's lifetime I used to attend at the firm for the purpose of following my calling as a porter, but for last year I have been employed as a servant.

About six years ago, at any time, did you accompany Kidmutgar "Hurreea," and carry bags of rupees to any place?—Yes; I did so carry bags of rupees.

Where did you convey the bags of rupees to; and all the particulars of this affair you are required to state?—About six years ago, the date and day I do not recollect, but one night, about half-past seven or eight o'clock, "Hurreea" Kidmutgar called me, and said that certain bags of rupees it was necessary* to the house of Baba Nafra; that he had himself gone two trips, and, as he was going to convey the remaining bags, I should accompany him, and that he would cause me to be paid my hire; thereupon I accompanied him; Hurreebhaee carried one of the bags, and two bags were given to me to carry. I placed them in the folds of my sheet, put them upon my shoulder, and we both proceeded to the Baba's (who resided where the Runjee Mundeer temple is at present situated); there Baba's old house was located; to this place we went; Baba Sahib was there; and in a room in this house we deposited the bags of rupees and returned home; afterwards, in the same manner, three more bags we conveyed and delivered to the Baba; afterwards Baba Sahib desired me to go away and let "Hurreea" remain with him; upon which I went away to my house, and left "Hurreea" with the Baba; about three or four days afterwards "Hurreeya" gave me from the Sett's grain depôt four seers of grain on account of my hire.

You having carried four of the bags, state what amount was contained in each of these bags?—Each of the bags contained 2,000 rupees.

Since you went two trips with Hurreeya with the bags of rupees, state if there was any light in the room in which they were deposited?—I do not recollect.

When you deposited the bags which you had carried, did you observe the bags which had been deposited before?—Being at night, and as my sight is imperfect at night, therefore I did not observe them.

In this manner, on any other occasion, did you convey bags of rupees to the house of the Baba or to any other place?—Excepting on the above occasion, I never conveyed bags of rupees to any person's house.

Did Hurreeya inform you whether these bags of rupees remained at the house of the Baba, or whether they had been transferred to any other body's house?—No, he did not.

The deposition taken from you on the 20th August 1850 is read over and explained to you, and you are required to state whether it be in accordance with what you had deposed to?—Yes; this deposition is in accordance with what I had deposed to.

(signed) *Khutree Purshotum,
Bechur, by Hurreea Kidmudgar.*

Dated above.

No 4.

TRANSLATION of the Deposition of Hurreeybhaee Bhaceehund; Religion, Hindoo; Caste, Khundwa Kunbee; Occupation, Servant to Hurree Bhugtee; aged about 40 years; Inhabitant at present of Baroda; taken upon oath before the Resident on the 9th February 1851.

Question. For what length of time have you been employed at Hurree Bhugtee, and what are the duties you perform there?—*Answer.* For about the 20 or 25 years I have been employed at Hurree Bhugtee, and used to be the chutree bearer to the Sett; but two years before the Settjee's death he placed me in charge of the jamdarkhana keys, and after the Settjee's death, Baba Nafra took the keys of the Jamdarkhana away from me, and kept them himself, from which date, up to the present time, I am employed in opening the jamdarkhana, besides performing other work about the house.

In the dufters of your Sett for the year Sumvut 1901 (1845), on the 6th Vysack Sood (12 May), a leetee khata entry obtained for the sum of 20,000 rupees as having been disbursed through you, the name of the party to whom disbursed being left on, therefore you are asked to faithfully declare who gave this amount to you, and to whom, in what way, and when you delivered the said amount?—In the month of Vysack of Sumvut 1901 (May 1845), the date I do not recollect, but it was during the time of my Sett's illness, one day, about half-past five o'clock the evening, Baba Nafra was seated in my Sett's dewan khana, where he sent for me and desired me to take from Bappoojee Keeleedar the sum of 20,000 rupees, and after nightfall to convey it to his house, agreeably to which I mentioned to Bappoojee, upon which he took out from the room two bags containing 20,000 rupees, and gave them to me; I carried and placed therein before the Sett's jamdarkhana, and afterwards, about eight o'clock at night, I placed two of the bags in the folds of my sheet, and put them upon my shoulders; I alone carried them to the old vacant house of Baba Nafra, which was situated where Baba Nafra's Ramjee Mundeer at present stands, and as Baba Nafra was standing there when I arrived, I asked him where I should deposit the bags, when the Baba desired me to place them in one of the rooms, whereupon the two bags which I had carried there, I deposited in the room pointed out to me, and made them over to the Baba's charge; at this time there was light there, and no other person was. I returned to the house of the Sett, and in the same manner I conveyed two more bags, and in the same manner delivered them over to the Baba who was standing there, and again returned to the Sett's firm, when it was about nine o'clock, and as I was tired I called a labourer, Purshotum, who used to be about the firm, and asked him to assist me in conveying the bags of rupees, and that I would cause him to be remunerated with grain for his hire. To this he consented, whereupon I took up one of the bags and delivered two bags to Purshotam to carry, and these three bags we both conveyed, and, in the same manner as above stated, delivered to the Baba, and returned; we again, in the same manner, took three more bags, and went and delivered to the Baba, in the same manner as above. In this manner, after having delivered the 10 bags to the Baba, Pershotum was dismissed, and he went away to his own house, I remained standing near the Baba; in the meantime Asharam being seated in a raickda (cart), came to the house of Baba Sahib, and he and Baba Sahib had some conversation together in the room in which the bags of rupees had been deposited; after which Baba desired me to take the 10 bags of rupees, which I had deposited in the room, one by one, and deliver them to Asharam, cart driver, whereupon I took the bags one by one and delivered them over to the cart driver, and the cart driver deposited the bags in the box of the cart, and his cart being near, the 10 bags were deposited therein; after which Asharam left the Baba and seated himself in the cart, and the cart was driven to the same purra in which kaka sahibwadda is situated, and the Baba desired me also to accompany Assarambhaee as far as the house of Nursoo Punt, and after having unloaded the cart of the bags it contained, that I might go home, therefore I followed the cart of Asharam. At this time Assarambhaee, his cart driver, and myself (three persons) were together; afterwards, when we arrived at the house of Nursoooba, the cart was made to stop; this time it was about 11 o'clock at night, and after Assarambhaee had got out of the cart the driver opened the tail of the cart in which the bags had been deposited, and I took out the bags of rupees one by one, and gave them to the cart driver, and the cart driver took them into the house of Nursoo Punt, and having deposited there the whole of the 10 bags, returned in this manner. Assarambhaee remained present and caused me to take the bags of rupees out of the cart, and caused his cart driver to convey them inside; after which he desired me to go to my house, and after so saying he went into the house of Nursoooba, whereupon I came away to my own house.

What is the name of Assaram's cart driver; do you know him; and where is he at present?—I only saw this cart man on the occasion when I took out and gave to him the bags of rupees, and heard him speak, upon which I know that he appeared to be like a kunbee, but I do not know his name, or his present whereabouts.

Having, as above stated, delivered the bags of rupees, did you inform your Sett about it?—At the time the Sett was ill, consequently I did not inform him about it; and further, the Baba having ordered me, what necessity was there for acquainting the Sett about it?

When Assarambhaee arrived with the cart containing the bags of rupees, and you also accompanied him, whereabouts in the house was Nursoopunt?—The night being dark, consequently I did not see whereabouts Nursoopunt was seated in his house.

If you are aware for what purpose the above amount was given to Nursoopunt, you should declare?

declare?—For what purpose this amount was given I know not; but, as above stated, it was secretly given to him, it is true.

In the deposition taken from you on the 1st August 1850, you stated that, agreeably to the Baba's orders, you took the bags of rupees and placed them in the cart, whereas at present you state that you took the bags and delivered them to the cart driver, and that the cart driver had deposited the bags in the cart, therefore you are required to explain this discrepancy?—I may have, on the above occasion, deposed as above stated, but the bags being required to be quickly deposited in the cart, we both conjointly placed the bags in the cart.

Your deposition of the 1st August 1850, is read over and explained to you, and you are required to state whether it be in accordance with what you had at the time deposed to?—The deposition at present read over and explained to me, is in accordance with what I had at the time deposed to.

Dated 9 January 1851.

(signed) *Kidmutgar Hurreebhaee Bhyyechund.*
(In his own handwriting.)

No. 5.

TRANSLATE of the Deposition of Ballajee Frushram; Religion, Hindoo; Caste, Ducknee Brahmin; Occupation, Goomashta at Gopall Row Myral; aged about 46 years; Inhabitant of Baroda; taken upon oath before the Assistant Resident, Lieutenant M. Battye, on the 20th March 1851.

Question. FROM the dufters of Baba Nafra, a memo. of Jumma Kurch, in the Ducknee characters, for 20,000 rupees, dated Vysack Sood 6, Sumvut 1906 (12 May 1845), has been discovered; and further in the Baba's dufters, in the handwriting of the Baba's brother, Bulvunt Row, a chit, dated Phagoon Sood 8, has also been discovered, which the said Bulvunt Row acknowledges to be in his handwriting. These two documents are shown to you, and you are required to state whether the handwriting of both these documents agree with each other or otherwise?—*Answer.* Having inspected both the above documents, I declare that the writing of the chittee, dated the 8th Phagoon Sood, agrees with the writing of the memorandum of the 20,000 rupees, and the writing of the above chittee appears to be old.

The above Jumma khurch memo. for 20,000 rupees, has been shown to you; which, together with the specimens of Bulvunt Row Nafra's writing, which have been taken for the purpose of comparing with the handwriting of the above yad for 20,000 rupees; these four documents are submitted for your inspection; and you are required to state whether the writing of these four documents agree with the writing of the above Jumma kurch memorandum for 20,000 rupees, or otherwise?—The above four documents, caused at present to be written by Bulvunt Row Nafra, have been shown to me; and having inspected them, I declare that the writing of the above four documents to have been written in an assumed hand, and consequently the writing of the above four documents do not agree with each other. From this it would appear that the said Bulvunt Row had written the above four documents in a disguised hand; but notwithstanding the writing of one of these four documents, which Bulvunt Row had with his own hand copied, viz. the Jumma Kurch yad for 20,000 rupees, agrees with the writing of the original Jumma Kurch yad for the 20,000 rupees, and the writing of the other three documents also, in certain places, agrees with the writing of the said yad of 20,000 rupees.

Dated 20 March 1851.

(signed) *Ballajee Furshram.*
(In his own handwriting.)

No. 6.

TRANSLATE of the Deposition of Ramchunder Junardhun, Bappa Khurseekhur; Religion, Hindoo; Caste, Ducknee Purboo; Occupation, Service; aged 65 years; Inhabitant of Baroda; taken upon oath before the Assistant Resident, Lieutenant M. Battye, on the 21st March 1851.

Question. FROM the dufters of Baba Nafra, a memo. of Jumma Kurch, in the Dhurnee characters, for 20,000 rupees, dated Vysack Sood 6, Sumvut 1901 (12 May 1845), has been discovered; and further in the Baba's dufters, in the handwriting of his brother, Bulvunt Row Verkesh Nafra, a chit, dated Phagoon Sood 8, has also been discovered, and which chit the said Bulvunt Row acknowledges to be in his own handwriting; therefore this chit and the memo. for 20,000 rupees are shown to you, and you are required to state whether the handwriting of both of the above documents agree with each other?—*Answer.* Having inspected both of the above documents I declare that the writing of the chittee, dated Phagoon Sood 8, upon being inspected, agrees with the writing of the yad for the 20,000 rupees; but this chit appears to have been written years ago, and consequently nothing definite can be said on this subject.

Four documents have at present been taken from Bulvunt Row Venktesh Nafra, in his own handwriting, and these four papers are shown to you and you are required to state whether the writing of the Jumma Kurch yad for 20,000 rupees, agrees with the writing of these four documents, or otherwise?—From the above four documents shown to me, the

writing of the one which is a copy of the yad for 20,000 rupees, agrees with the writing of the original yad for 20,000 rupees. This original yad for 20,000 rupees, and its copy, appears to me to be in the same handwriting; and the writing of the other three documents also appears to have been penned by the same hand, and it seems as if the writer had disguised his hand; but whether the writer did this to prevent the writing from agreeing with the writing of the yad for the 20,000 rupees, or from any other cause, how am I to know?

(signed) *Ramchunder Jhunardhun.*

Dated 21 March 1851. (In his own handwriting.)

(True translations.)

(signed) M. Battye, Assistant Resident.

(True copy.)

(signed) A. Malet, Chief Secretary.

10 April 1851.

Postscript.—The foregoing statement was ready for the copiest on the 5th instant. Two days afterwards, the committee appointed to examine the treasury of the firm of Hurree Bhugtee, with a view to ascertain the amount of treasure and jewels, feloniously abstracted by the late managing goomashta Baba Nafra, discovered some papers concealed in a silver "lota." Amongst those papers were three documents tied up together in a piece of cloth. One of these was a memorandum in the handwriting of Baba Nafra's brother, Bulvunt Row, of which the following is a literal translation:

"Memorandum of the sum expended in the month of Ashween Sumvut 1904 (A.D. October 1848.)

"On Vud 8 (19 October) of which Vud 9 (20 October) by chitt for 78,070 rupees, from which amount given to Nursoo Punt Tattiah, on account of the dispute about the boy, as under:

"5,000 and 23,070 rupees: 28,070."

2. Enclosed within this memorandum were two notes, in the handwriting of Nursoo Punt, but unsigned and undated: literal translations of these notes are as follows:

1st. "Shree Nur Hurree" (name of deity). "The object of my present writing is, that agreeably to agreement, the amount has not been received here; to act thus is not proper on your part. This is my petition."

2d. "Shree Nur Hurree. Up to the present time the whole of the amount has not been received, which does not redound to your greatness. This is my prayer."

3. In Appendix (B.) will be found an extract from the proceedings of the committee appointed to examine the Hurree Bhugtee's treasury, descriptive of the circumstances under which the documents in question were found, of the steps taken to prevent their being tampered with, by sealing them up, and of the procedure of the committee, when next day they assembled to re-open and peruse them in my presence.

4. On the evening of the day on which the documents referred to were discovered, it was reported to me by the native agent and Shumbhooram Kotwal, when they delivered to me the packet containing them, that not a doubt existed on the minds of the committee, or of the goomashtas present, that the memorandum was in the handwriting of Bulvunt Row, and the notes in that of Nursoo Punt. And I was informed that Veniak Appa, one of the members of the committee, and a near relation of both Nursoo Punt and Baba Nafra, had been constrained to acknowledge that these were undeniable facts.

5. When, however, the committee came to the residency next day to examine the documents, they affected to find much difficulty in comparing them with other papers placed before them, undeniably in the handwriting of Bulvunt Row and Nursoo Punt. Finally, however, they decided that the memorandum corresponded with other specimens of Bulvunt Row's handwriting, and that one of the notes, that which alluded to the "agreement," was in the handwriting of Nursoo Punt.

6. I have since ascertained beyond a doubt, that both notes are in one and the same handwriting, and that that is the handwriting of Nursoo Punt. When I mention that two of the members of the committee were members of the punchayet appointed to try Baba Nafra, when I call to the recollection of Government the disgraceful artifices by which that punchayet endeavoured to screen Baba Nafra's villany, and when attention is given to the fact, not only that Nursoo was the Baba's relative, and retained abettor in the Joitabae's affair, but that these documents, if their authenticity were established, were in themselves utterly damnable of Baba Nafra's cause, it will, I think, be understood why the court were so loth to admit the authorship of the papers.

7. The memorandum above quoted shows, that 28,070 rupees were part payment of a sum of 78,000 rupees "on account of the dispute about the boy," and the chopras of the firm show, that the latter sum was debited on the 19th (20 October 1848), under the heading of "lectee khata" [blank] as most of the items of bribery expenditure are recorded in the books of the Hurree Bhugtee firm.

8. I have

8. I have reason to believe that the whole of this sum of 78,000 rupees, not merely the item of 28,070 rupees, reached the hands of Nursoo Punt; but I am inclined to believe, that the greater portion of it was detained by him under pretext of its being required for the corruption of British officials.

9. On the 19th of October, I was in Bombay, about to proceed to Egypt. My successors had not been nominated, and though, doubtless, Nursoo expected great rewards for deceiving and betraying the new officiating Resident, he would hardly have been so importunate in his demands on this score. His notes clearly refer to value promised for past services, or to money required for present urgent purpose.

10. If to the latter, it is not an unnatural or unwarrantable hypothesis to suppose that some of the money was ostensibly demanded for the purpose of bribing his Bombay friends. For, though I believe him to have largely partaken in the wealth fraudulently abstracted by Baba Nafra from the house of Hurree Bhugtee, I can hardly believe that, at that early stage of the Jaitabae affair, while yet the issue was in the least degree uncertain, Baba Nafra would have given him such enormous personal fees. It is far more probable, that the bulk of the money was given under the idea that it was to be transmitted to the powerful friends of Nursoo, to whom he boasted of sending a "memorandum of kullumbundies," and whose friendship with him he declared to be of a "secret nature."

11. But it is immaterial whether the greater portion of the 78,000 rupees were ostensibly for Nursoo Punt himself, or for his Bombay friends. Nor does it signify whether the 78,000 rupees, or only the smaller sum of 28,070 rupees, passed into or through Nursoo's hands. The mere fact of there being a pecuniary transaction in reference to the dispute about the boy, is itself sufficiently conclusive against the man; and his prostitution of Mr. Reid's name, and scandal he has brought on the character of the Bombay Government, have already been too fully illustrated to require that I should, so far as Nursoo Punt is concerned, enter into any further investigation connected with the document now under notice, or those along with which they were found.

12. It is enough, in conclusion, to observe, that should the papers found in the Hurree Bhugtee treasury, or others hereafter to be discovered, implicate other parties whose conduct Government are entitled to scrutinize, the circumstances shall be duly notified.

(signed) *J. Outram*, Resident.

Baroda Residency, 10 April 1851.

Appendix (B B).

TRANSLATED EXTRACT from the Proceedings of the Committee appointed to examine Hurree Bhugtee's Treasury (as corrected by the Commissioner).

On the 7th April 1851, the door of the jamdar khana, situated on the southern side, was opened, after which we got Kidmutgar Hurreeah to open the lock on the door of the inner room, and Shumboorambhoye seated himself upon the large chest in this room, which was the last left to be examined. Gujannund Abba, Trimbuck Shastree, Wujjoobhaee, and Sooruzram, were standing by when this chest was caused to be opened by "Khidmutgar Hurreeah," and the articles contained in it brought out to the outer room and placed in front of the door, after which the whole of the committee came to the door and commenced the inspection of the things. After having inspected them, they were immediately returned to the chest from whence they had been taken; and to guard against any misappropriation, Ghujjanund Abba was, by the committee, stationed in the room in which the chest was, and Wujjoobhaee was made to sit on one side of the threshold of the door of the room, on the outside of it, and Khidmutgar Hurryeah on the inner side of it, while Moonim Peetamberdass opened the bundles, &c. and showed the contents to us all; and after taking an inventory of the same, he handed them over to Hurryeah Khidmutgar for the purpose of being returned to the chest. In this manner, while the inspection was going on, four silver "lotas" turned up, two of which were empty, and the other two contained small cloth bundles; one of these lotas was first examined, and found to contain gold mhores tied up in parcels; on taking out the cloth bundles from the other lota to examine them, two were found to contain papers, and the others jewels. The whole of the parcels containing jewels the moonim examined, and caused their contents to be noted down. After which he opened the two bundles containing papers; on reading the contents he began smiling, and his brother Pramanund, who was seated near him, also read and examined these papers. Upon which the whole of us asked Peetamber Bhaee to inform us what these papers were about, he answered "I will do so," and saying which he laid the papers down; this caused the members of the committee to entertain suspicions in the matter, and they consequently insisted upon the papers being submitted for their inspection. On this the Moonim Peetamberdass made these papers over to Shumbooram Bhaee, who, after perusing them, handed them over to Trimbuck Shastree; after which the members of the committee, viz. Ghujjanund Abba, Venaik Appa on the part of Parick Motteelall, Babajee Sooruzrambhaee, and the fathers of both the Settanees, one after another, took and examined them, and entered them upon the proceedings of the committee. This bundle, and the other bundles of papers which had turned up, were made up into one parcel, which parcel was sealed with the seals of the "Nayadeish" and residency. After-

wards, when the whole business was finished, Rajeshree Shumbhooram, taking the parcel, went to the Maharaj and Bhow sahib for the purpose of showing it, and explaining the circumstances; the whole of the members of the committee remained where they were. Shumbhooram on his return informed them that he had succeeded in seeing the Maharaj, but that he could not see the Bhow sahib, and therefore that he would take the packet with him, have an interview with the Bhow sahib, inform him of the matter, and afterwards join Sooruzram Bhaee at the "jhampa." On saying this, Shumbhooram went towards Bhow sahib's, and the members of the committee having got up went to their respective homes, and Soorujram saying that he was going to the Sahib, also left. This is what took place on the date above-mentioned.

Sooruzram Gungaram, the residency native agent; the members of the committee; Gujjanund Abba, on the part of Gopal Row Myral; and Moonim Babajee, on the part of Parick Motteelall Samuldass, Trimbeck Shastree, Venaick Appa, Shumbhooram Khooshall, the Moonim Goomashta, of the firm of Hurree Bhugtee, Peetamberdass Shaw Vijjoobhaee, and Bhanabhaee Kandoss, inhabitants of Baroda, attended before the Resident of Baroda, Colonel Outram, and were interrogated in his presence on the 8th April 1851:—

Question. A memorandum of what took place yesterday, the 7th April, is read over and explained to the whole of you, and you are called upon to state whether the circumstances occurred as recorded, or otherwise?—*Answer.* The proceedings have been read over and explained to us, we declare that the circumstances therein detailed are correct.

You are shown a sealed packet, which you are requested to inspect, and declare whether it be the same one which you all yesterday caused to be made up, of the papers which had turned up during your inspection of the southern jamdurkhana, at the firm of Hurree Bhugtee, and sealed with wax, bearing the impression after seals of the Nayadish and residency, and which you sent yesterday to the residency by one of your members, Shumbhooram; and, further, you are called upon to explain the contents of the papers contained in the said parcel?—The parcel shown to us this day by the Sahib we identify as the one which we yesterday sealed up, and sent both to the Sahib by Shumbhooram, and we having opened the said parcel find it to contain the identical papers which we yesterday sealed up, and the contents of the papers in the two bundles contained in the said parcel are as follows:—

1. Parcel containing two papers, the contents of which are as follows:

1. Paper, dated Vysack Sood 5th, Sumvut 1895 (17 April 1839), being list of the jewels received from the house of Goomashta Ramdass Bhugwan.

1. Paper, moth-eaten, dated Chytur Sood 13, Sumvut 1896 (Thursday 14 April 1840), being a memorandum of jewels.

Another bundle, containing papers, the contents of which are as follows:

1. A yad, dated the month of Ashween Sumvut 1904 (October 1848), as follows:—
"On Vudh 8th and 9th (19 and 20 October), paid to Nursoo Punt Tatteea 28,070 rupees, in part of the note for 78,070 on account of the dispute about the boy; as follows, 5,000 and 23,070 rupees."

1. Chit, "To be honoured by Nur Hurree, *i. e.* (the 'tutelar deity'), my petition is that, according to agreement, the amount has not been transmitted to me, which is not worthy of you. This is the prayer."

1. Chit, "To be honoured by Nur Hurree, *i. e.* (the 'tutelar deity'), my petition is that, up to the present time, the whole of the amount has not been transmitted, and this does not redound to your greatness. This is the prayer."

The contents of the papers are as above particularized.

Question. These papers written by Nursoo Punt Tattia, at the residency cutcherry, viz., rough memorandums regarding amounts in deposit; ditto, regarding the Shastree's Neemnook, regarding the Pagah of Bulvuntrow Guicowar, and the deposition of Baba Nafra, taken in the matter of Govind Row Guicowar, are all shown to you, and you are required to compare with them the two chits above stated as found with the memorandum for 28,070 yesterday, and to faithfully declare whether the handwriting of the memorandum and the chits agree with, or whether there appears to be any difference in the handwriting of the other papers above-mentioned?—*Answer.* Upon comparing the handwriting of the two chits above-mentioned with that of the other papers, the handwriting of the chit, in which, "according to agreement," is mentioned, is exactly similar to that of the other papers, with the exception of a few letters here and there; but with reference to the writing of the other chit it does not appear so clear, and consequently we entertain doubts in the matter.

To Venaick Appa. At the time these two chits turned up yesterday, did you not, in the presence of the members of the committee, remark that the handwriting of one of the chits resembled that of Nursoo Punt Tattia, which opinion you openly expressed; whereas, to-day you have stated otherwise, as above. You are called upon to explain the reason of this?—Yesterday these two chits turned up, and when I first inspected the one, in which it is written "according to agreement," I thought the word "agreement" resembled the writing of Nursoo Punt, and this circumstance induced me to remark, in the presence of the members of the committee, that the writing of this chit was in the handwriting of Nursoo Punt.

In

In your reply to the question put to all of you before, you have alluded to a yad, dated the month of Ashwin (October 1848) Sumvut 1904, to the effect that, on Vud 8th and 9th, paid to Nursoo Punt Tattia 28,070 rupees, in part of the note for 78,070 rupees, on accounts of the dispute about the boy; and the other writing, of which yad is in Maharatta. Now the handwriting of this yad, and handwriting of four papers which Wamun Row Venteish, alias Baba Nafra's Brother, Baba Nafra had been required to copy in his own handwriting, are shown to you, and you are required to state whether the writing of these papers and that of the yad agree with one another, or otherwise?—Having inspected the above papers which have been shown to us, we declare that the yads, number 5, 7 and 8, two of which are copies of the yad for 20,000 rupees, and the other is a copy of a yad regarding Godajee Pol's pagah. Now if these three papers were copied by the same individual, it is evident that the writer of them must have intentionally disguised and altered his handwriting while penning these contents, from which it is clear that he must have done so with some evil design. But on comparing the style and form of writing of the yad for 28,070 rupees with that of the paper No. 6, which is a copy of a letter from Bulvuntrow Venteish to Doola Nowla, dated Falgoon Sood 8th (March), they both appear to have been written by the same individual.

Dated 8 April 1851.

Sooruzrum Gungaram.

(signed) Gopal Row Myral (in the handwriting of Gunput Ramchunder).
 Paruck Motteelall Samuldass (in the handwriting of Babajee).
 Trimbuck Shastree Munohur (in his own handwriting).
 Venaik Suddasew Nisbut Furnivies (in his own handwriting).
 Mohta Shumbhoorum Khooshall Nisbut Sir Huzoor.
 Petamber Sewlall (in his own handwriting).
 Paruck Wujjoolhaee Vancheedass (in his own handwriting).
 Bhanabhaee Kundass (in his own handwriting).

Indorsed in English, before me, this 8th day of April 1851.

(signed) J. Outram, Resident.

(True copy.)

(signed) J. Outram, Bt. Lieut.-Colonel.

Appendix (C.)

TRANSLATION of a Yad from his Highness the Guicowar to the Resident, dated 30 Zilkad, Soorsun 1251 (A.D. 7 October 1850).

THE native agent Soorujram, sent a note to Govind Row, stating that the Sheristedar of Surat, by name Nurbheyram Kissundass, had arrived here, who is anxious to see the different items entered in the chopras of Samul Bhugtee, and those of other firms, and requesting that the required chopras may be shown to him in the presence of respectable persons. Accordingly, instructions were issued to Shumbhooram Khooshall on the subject, who made over the chopras required by Nurbheyram in the presence of the native agent. Nurbheyram, on being asked whether he required the presence of any respectable persons, replied in the negative. After having examined the chopras, he took extracts from them. Both he and Soorujram came to the Durbar for the purpose of having the extracts authenticated by Sowcars. A conversation then took place, which having been put down in writing, is here enclosed for your information, on the score of friendship. From this it will appear that immediate assistance has been afforded by this Government in this case. The confidential goomashta of Joitah Settanee, by name Balmookund, and Mottee Herachund, represented that they had something to communicate to the Durbar, on which Bappoo Shastree took down in writing what these men had to say in favour of his clients. From their statement, the Durbar has learnt with much surprise that, considering the friendship which exists between the two Governments, the kamdars of the British Government, not only behave disrespectfully, but speak ill of the kamdars of this Government in the presence of its own subjects. This is not right. But this Government has hopes that if this circumstance be brought to the notice of the superiors of such kamdars, their conduct will not pass unnoticed.

For this reason this Government sends copies of the two statements mentioned above, and hopes that the Resident will take the matter into his consideration, on the score of friendship.

STATEMENT of Motee Heirachund, Sowcar of Attursoomba, now residing in Baroda, before the Durbar, dated 14th Bhadurwa Vud 1906 (4 October 1850).

Question. You say you have some information to give the Durbar, state what it is?—

Answer. About five days ago, as I was passing the house (known as Dhackjee Hewellee) in which a Bombay vukeel, named Rughoobhaee, was living; he called me towards him, and in the course of conversation he said, that the 20 or 25,000 rupees which Soorujram had obtained, through me, from, Baba Nafra, was not all intended for himself, that 2,000 was his share, and the rest was intended for the Resident; that if I wished to petition the Bombay Government on the subject, he would send it; to which I replied that I would think over it, and give him an answer; after saying which I left him. Last night I went to his house, and he took me into a room in which Mr. Andrews' Sheristedar Nurbheyram was living. He (Nurbheyram) told me if it was my intention to prefer a petition, to do so without hesitation. I replied that Soorujram had made no mention of the Resident's name before me; that he had got the money for himself, so how could I take the Resident's name in vain? and I added, that I would not therefore make a petition. Nerbheyram then said, that if I would petition, the hazerzamin* (security for attendance) should be released. I replied that I could not agree to prefer such a false petition, but that if he would kindly relieve my security, I would go away. Nurbheyram and Rughoobhaee then said, "Do as you please;" and I then returned to my house. This is all I had to say, and it is quite correct.

By *Rugobhoy*. Were you and I in any way connected, or acquainted with each other, before this?—No, we were not acquainted, and (are) in no way connected.

Did I call you to my house, or send any of my people for you, or did you come of your own accord?—While passing your house, where you were standing in the verandah, I made a salam; on your calling me to you, I went.

On the Asho Shood 1906 (6 October 1850).

Question by Durbar. In the statement which you made on Friday last, you say that about five days before, Rugobhoy had called you, and what occurred on that day you have stated above; and you have also stated what occurred on the previous evenings, but having questioned Rughoobhaee, he states that you only went to him for the first time on Thursday evening, and that he had never met you before, how is this?—Should Rughoobhaee declare that he had never seen me, how can I help it? I have above stated that we have twice met; and this is the truth.

(signed) *Mottee Heerachund.*

Examination continued on the 16th October 1850, by the Assistant Resident.

Question. Is the deposition which you made before the Durbar on the 4th instant, now read to you, correct?—*Answer.* Yes, it is exactly what I stated.

(signed) *Mottee Heerachund.*

Before me this 16th day of October 1850.

(signed) *M. Battye.*

TRANSLATION of a Statement made by Balmookund Samuldass, Goomashta of Joitabae Settanee, before the Durbar on the 14th Bhadurwa Vud 1906 (4 October 1850).

Question. You say you have some information to give the Durbar, state what it is?—

Answer. About five or six days ago, the Sheristedar of the Surat adawlut, Nurbheyram, the residency native agent, Soorujram, with some goomashtas, were sitting at the house of the firm of Hurree Bhugtee. On my arrival there, Peetamberhaee, the Mooneem Goomashta, proposed that we should all move into the big cutcherry, which we did. While the people were bringing the saddle cloths for us to sit on, we all stood up; Soorujram and Nurbheyram were about nine or eight paces from each other. I was standing near the latter; he asked me what was doing in our case; I replied, that it was still pending; but I then asked him what he was doing here; he said I should soon know, and asked if I was aware how our business had been managed. On which I asked him to tell me. He replied, that it had been arranged by somebody or other which Gunesh Punt Bhow, Mr. Andrews, and the Meer Sahib know all about; that he was well aware of what had been done lately; that Colonel Outram, Bhow Tambeykur, and Soorujram, had received lacks of rupees as bribes in the business; that if I would petition the Governor in Council on the subject, he would assist me, and arrange about the child; † that all the parties connected with their business would have to go to Bombay, as I should see eventually. Our conversation here ended.

Soorujram

† This refers, I presume, to Joitabae's desire to adopt a child which for obvious reasons I have always opposed. (signed) *J. Outram, Resident.*

Soorujram then sat down on the saddle cloth, and called Nurbheyram towards him; I also sat near them. Goomashta Hurreelall Bhyeechand asked me what we had been talking about; I told him. Peetamber and the other goomashtas went off to Mahaluxmee Bae and Joitabae, and on their return commenced examining the chopras. While this was going on, Nurbheyram said to Soorujram, "You have only lately come here, but I know all about things that have occurred since the time of Mr. Boyd." I then went with Hurreelall to the Settanee Joitabae. Larbae was sitting with her, and I told them all that had taken place. They replied, that what had happened was their good fortune; that it did not signify what lies people chose to publish, and warned me not to go anywhere and listen to such stories. One or two days afterwards, Hurreelall and I were walking about the town, and met Vukeel Rugoobhaee,* who told us to come to his house next morning, which we did, and sat below talking to Rugoobhaee. He asked us what was going on with us. We soon afterwards went away. Next day I again met Rugoobhaee, who said that Nurbheyram was inquiring after me, and told me to go to him, which I accordingly did. It was night, and five or six men were sitting there. Nurbheyram asked if I intended following the advice which he had given me. I replied in the negative, upon which he told me I might go away; that he no longer required me. Hurreelall and I then went off.

Were you acquainted with Nurbheyram previous to the conversation which you have above reported?—When I returned with Rugoobhaee from Bombay, I put up at his house in Broach, and there I met his cousin Nurbheyram; that is all I knew of him.

On Assarsood.

Question. Besides what you have above stated, did Rugoobhaee say anything more to you?

—*Answer.* He said as written above; moreover, that the investigation into this (Joitabae) case did not originate here; that a lot of blackguards received lacks of rupees from me, and did more harm than good; I forget what else he said.

What you say about Rugoobhaee, he does not admit before you, and states that he spoke to you on a different subject; state therefore what it was?—Rugoobhaee did not converse with me on any other subject but what I have above stated, but the Sirkar should consider that persons concerned in a matter such as I have above related are not likely to confess.

TRANSLATE of Sumbooram's Deposition, taken on oath, before Colonel Outram, on the 15th April 1851.

Regarding the bad advice given to Motee Heerachund, Attorsoomba Walla, by Rugooram Vukeel, at the suggestion of Nerbheyram Sheristedar, three persons named Motee Heerachund, Hurreelal, and Balmookun, were confronted. Rugooram Vukeel's 'hazer zamin,' was then taken, and he came to me for that purpose. I was at that time sitting up stairs in my old house, and Rugooram said, that when Nerbheram was residing in Dhackjee's house, he and the Residency Kamdar,^a &c., consulted as to how they should upset the inquiry which was going on regarding the items in the Baba Nafra case, which appeared against the name of Mr. Andrews' carcoon; that he was present at the time, and his security taken. I asked him what decision they had come to, and who was present on the occasion; he replied, his cousin Nerbheyram was there, and the others were Kamdars; that he could not tell for fear of injuring his relative. I said if he would tell me the truth, I would inform the Sirkar, when it would be seen who were the parties who gave the bad advice; he replied, he would tell me privately, and that I could repeat it to the Sahib; his relationship with the parties induced him to keep it secret. I agreed to his proposal, and said if the people afterwards refused to state the facts of the case, it would be necessary to take his deposition; to this he consented, and informed me as follows:—

^a Alluding to Narain Row, Residency carcoon.

"The night before Nerbheyram started for Surat, at about 11 o'clock, Narrain Row Kalley, Moonshee, Moroba, Abba Kaley, Narraen Row, Nerbheyram and myself, were sitting in a room in Dhackjee's house; what Narrain and Nerbheyram may have previously been concocting, I know not; the door was shut, and some grain sent for, with which a cow was made, and all, with the exception of the moonshee, swore by this animal to keep strict secrecy of all that transpired. Narrain Row and others began to state that they would depose to the following statements, when Colonel Outram was relieved from his present appointment, and Soorujram and Bhow Tambeykur also removed from office. The moonshee being a Mussulman, took an oath according to the custom of his caste, and agreed to the proposition. Nerbheyram also agreed to make the necessary arrangements, on condition that he should be allowed to inform Mr. Andrews' of the circumstance. The following plan was afterwards determined on:—

1. "That the evidence of two or three Sowkars should be adduced to prove the falsity of the item of 21,000 rupees which appears in the chopras, and so remove all doubt on the matter.

2. "The evidence of Nuthoo and others to be adduced, that the depositions given in the case were all exacted by unfair means, and that those who refused to depose as required, were put off from day to day until they did as they were desired.

3. "The

* Cousin of Nurbheyram, and formerly employed as a vukeel by Joitabae.

3. "The Moonshee to depose, that he never heard anything regarding the woman Doolun and Mr. Andrews, and that the whole story is a fabrication.

4. "That Colonel Outram was no friend of Baba Nafra's; that Baba Nafra and Gunesh Punt were relatives, and that Bhow Tambeykur was at enmity with Gunesh Punt, therefore the Bhow and Resident were of one mind, for the purpose of ruining Baba Nafra, and with this intent, this case was taken up; (that) the Bhow led the Maharaj to believe that this was a doubtful case, which the Sahib was inquiring into, therefore there was no need of his Highness interfering in the matter. To this effect they all agreed to abide and act up to, and it was settled to bring witnesses to prove that the above arrangement was concocted by the Durbar and Resident."

Proof to the above effect was accordingly to be adduced, and should any other evidence be required on any point, it would be forthcoming when the Resident and Bhow were both removed from office.

The above information was given to me by Rugooram; I made a memorandum of it, and reported the circumstances to the Resident at that time, who ordered Rugooram to be sent for, and his deposition taken. On my telling Rugooram this, he asked what had become of the agreement which we had previously made with one another, and said that he would get up the papers from Nurbheyram, and give them to me for presentation to the Sahib, which would prevent the necessity of taking his deposition. For many days he put me off by thus promising to furnish the papers, which never came, upon which I told him it was now necessary he should give his deposition, which he agreed to do, but did not again come near me. The time for giving his deposition had passed, and I have now stated all that transpired. After Rugooram's departure, Moroba came to my house, and I asked him if he had (been) consulted on the matters above recorded; he replied that he would meet me again, and accordingly, the next night, at about eight o'clock, he made his appearance, and asked me if by answering the question I had put to him, he would not be doing himself harm? I replied, if he would tell me the truth, I would speak to the Sahib in his behalf; he then confirmed what I have above stated, as told me by Rugooram, regarding the meeting at Nerbheyram's residence of Narrain Row Kalley, the Moonshee, Narrain Row and himself, and asked me to assure him that he would not suffer for thus telling me the truth, which I reported to the Sahib, who promised accordingly that no harm should happen to him. After which I took Moroba to Soorujram to assure him of what the Sahib had said, and he then repeated all that had passed there before Soorujram and myself, and begged us to protect him, as Narrain Row was an old experienced man and like a snake would kill him. Soorujram then assured him that if he spoke the truth, he should not suffer. After this conversation, I returned to my house. Whether the subject of our conversation had become known or not, I can't say, but Moroba did not again come to my house, and whenever he saw me he avoided me. The above circumstances which came to my notice, I have stated.

(signed) *Sumbooram Khooshallbhoye.*

Before me, on oath, this 15th day of April 1851.

(signed) *J. Outram, Resident.*

(True Translations.)

(signed) *M. Battye, Assistant Resident.*

The above agrees in substance with what Shumbooram Kotwal reported verbally the day after the Sheristedar's departure on the 5th October 1850, and which, at the Resident's desire, I took down in writing at the time, as repeated to me by Shumbooram.

(signed) *M. Battye, Assistant Resident.*

(True Copy.)

(signed) *J. Outram, Brevet Lieut.-Col.*

38.

Collection No. 1 of No. 55, Bombay Political Department,
Letter from, dated 22 May 1852.

On Lieutenant-Colonel *Outram's* Khutput Report.

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— No. 1. —

EXTRACT Bombay Political Consultations, May 1852.

MEMORANDUM on Lieutenant-colonel Outram's Khutput Report.

PART I.

Part I.

1. THE matters alluded to in Part I. of this Report comprise the period from 1835 to the close of 1838, and consist of the Amleeara succession case, and the misconduct of parties connected with it; the misconduct of the native establishment of the Political Commissioner; the misconduct of Motee Purshotum, the karkoon at Rajpeepla, and head native on the establishment of the Rewa Kanta Political Agency. These matters were respectively reported to the Honourable Court, under dates the 31st December 1835 and 25th April 1838, and the 16th September 1840; and were replied to by that authority in despatches dated the 12th March 1840 and 10th February 1841.

2. The last portion of the part alludes to a letter dated the 26th October 1838, which, for reasons apparently personal to himself, Lieutenant-colonel Outram withdrew, and of which, therefore, no trace remains on the Government records.

PART II.

Part II.

3. Section I. of this part is introductory.

4. Section II. is devoted to the review of various past proceedings of Government connected with Venayek Moreshwur, *alias* Baba Phurkey. These proceedings were reported to the Honourable the Court of Directors in political despatches dated the 2d of August, No. 58 of 1844; 31st January, No. 5 of 560.

1849; 16th February, No. 16 of 1850; 24th May, No. 43 of 1850; 1st October, No. 85 of 1850; 1st December, No. 90 of 1851; 17th January, No. 6 of 1852.

5. The above despatches were (simply acknowledged or) replied to, in the Honourable Court's letters, dated the 17th December, No. 39 of 1844; 28th November, No. 35 of 1849; 12th June, No. 18 of 1850; 30th October, No. 30 of 1850; 15th January, No. 3 of 1851.

6. Sections III. to VI. refer to Lieutenant-colonel Outram's charges against Nursoo Punt, late native agent to the Baroda Residency, which were recently investigated by Mr. W. E. Frere, who, on the 16th May last, was appointed by Government a commissioner to investigate the same, under Act XXXVII. of 1850. The proceedings of Government in connexion with these charges, in the cases of Govind Rao Gaekwar, Gorajee Pol, and Joetabhaee Setanee, were reported to the Honourable the Court of Directors in political despatches from this Government, dated the 16th December, No. 176 of 1848; 31st January, No. 5 of 1849; 29th September, No. 99 of 1849; 17th October, No. 110 of 1849; 17th September, No. 70 of 1851; 3d December, No. 91 of 1851.

7. The four first of the above despatches were replied to in the Honourable Court's letters, dated the 14th March, No. 13 of 1849; 28th November, No. 35 of 1849; 13th February, No. 4 of 1850; and the rest are now under the consideration of that authority.

8. The whole of the proceedings connected with Mr. Frere's investigation into Lieutenant-colonel Outram's charges against Nursoo Luxmon, to which that officer alludes in these sections,* were reported to the Honourable the Court of Directors, by the overland mail of the 3d February last.

* 3 to 6.
Alluded to in sections III. and V.

9. The charges against Mr. R. D. Craig,† late a clerk in the Political and Secret Departments of the Secretariate, and Mr. R. L. Cole, clerk in the Accountant-general's office, in connexion with which the name of Mr. G. Smith, an assistant in the Political Department, and brother-in-law of the former individual, is mentioned, have lately been investigated by a committee of the secretaries. The proceedings of this committee, and the minutes of Government thereupon, were transmitted to the Honourable Court by the overland mail of the 3d April.

10. The proceedings of Government connected with the case of the late Mr. Andrews, alluded to in the IV. and following sections, were reported to the Honourable the Court of Directors in political despatch, dated the 26th November, No. 88 of 1851.

Part III.

Part III. 11. The proceedings embraced in Part III., as summarized by Lieutenant-colonel Outram, refer to the following subjects:

1st. The interception, at the post-office, of suspected letters, and of certain Minutes of the present Government.

2d. The discovery of a note purporting to convict his Highness the Gaekwar's minister of treason, and of Guzerattee translations of certain Minutes of Sir G. Clerk's Government.

3d. The discovery of certain papers addressed by a Sowkar confidant of his Highness the Gaekwar's chief minister, to his nephew, Gomashtha, at Bombay.

4th. The policy of the Durbar, up to the date of his (Lieutenant-colonel Outram's) removal from office, as evincing the illicit supervision exercised by his Highness the Gaekwar's chief minister over the secret deliberations of the Bombay Government.

5th. Lieutenant-colonel Outram's removal from office, with correspondence consequent thereon.

12. The whole of the proceedings alluded to in this last-mentioned Part (III.) were reported to the Honourable the Court of Directors in political despatches, dated

dated the 29th November and 3d December, Nos. 89 and 92 of 1851, and the 3d February and 15th March, Nos. 12 and 33 of 1852; and the proceedings of the committee appointed to investigate the source of the suspicions against persons in the Political Department of the Secretariate were reported to that authority in political despatch, dated the 3d April, No. 37 of 1852.

(signed) *A. Malet*, Chief Secretary.

— No. 2. —

MINUTE by the Right honourable the Governor, dated the 29th April 1852, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

1. ON a careful examination of this voluminous report, I find that it is divided into three parts; that Appendices (A.), (B.) and (C.), which accompany it, have reference to Parts I. and II., and that five supplementary sections are attached to Part No. III.

2. Part No. I. comprises a history of transactions which took place between the commencement of the year 1835 and the close of the year 1838, the whole of which have been brought under the consideration of the Home Authorities,* and on an examination of which, even had this not been the case, I should not have deemed it my duty to enter, as they occurred ten (10) anterior to my assumption of the office of Governor of Bombay.

3. Part No. II. consists of six Sections and a "concluding Section." The first Section is introductory, the second is devoted to the review of past proceedings of Government connected with Venaik Moreshwur,† *alias* Baba Phurkey; the first 44 paragraphs referring to events that occurred previous to my arrival in India, and the remaining 45 relating to matters which have been subsequently fully reported to the Honourable Court, and therefore now require no detailed remarks from me.

4. The 3d, 4th, 5th and 6th Sections contain, amidst much irrelevant matter, details relative to the appointment (in 1843, under the Government of Sir George Arthur, and some years prior to the commencement of my own administration of the affairs of the Presidency) of Nursoo Punt‡ to the post of native agent at Baroda, likewise details concerning the charges brought against the said Nursoo Punt, the trial of that individual, complaints against the decision of Government in the dispute between Mr. Andrews|| and Lieutenant-colonel Outram, and certain charges against a Mr. R. D. Craig.§ How and when all these subjects have been disposed of is noted in the margin.¶

¶ See below.

5. In the "concluding section," Lieutenant-colonel Outram proffers to Government his advice as to the mode in which the belief existing at Baroda, in the efficacy of Khutput at Bombay, can be best eradicated.

6. This advice is, first, that a kurreeta should be addressed to his Highness the Gaekwar, communicating the regret felt by Government at the lax political morality prevalent in his capital, and urging his Highness to dismiss his minister Bhow Tambekur, and to issue two proclamations.

2d. That

* *Vide* political despatches addressed to the Honourable the Court of Directors under dates the 31 December, No. 62 of 1835, pp. 28 to 32; 25 April, No. 43 of 1838; 27 November, No. 43 of 1839, pp. 4 to 8; 16 September, No. 38 of 1840; 15 June, No. 27 of 1842, pp. 7 and 8.

† The proceedings of Government connected with Venayek Moreshwur were reported to the Honourable Court in political despatches, dated 2 August, No. 53 of 1844; 31 January, No. 5 of 1849; 16 February, No. 16 of 1850; 24 May, No. 43 of 1850; 1 October, No. 85 of 1850; 1 December, No. 90 of 1851; 17 January, No. 6 of 1852.

‡ The proceedings of Government connected with Nursoo Punt were reported to the Honourable Court in political despatches, dated the 31st January, No. 5 of 1849; 17 February, No. 19 of 1852.

|| *Vide* political despatch from the Bombay Government, dated the 26th November, No. 88 of 1851.

§ *Vide* political despatch from the Bombay Government, dated the 3d April, No. 37 of 1852.

¶ The proceedings in the case of Joitabhaee Setanee were reported in political despatches, dated the 30 August, No. 84 of 1849; 3 December, No. 91 of 1851; 31 January, No. 9 of 1852; 28 February, No. 22 of 1852; 3 May, No. 46 of 1852.

2d. That a letter should be addressed to Lieutenant-colonel Outram himself, expressive of the concurrence of Government in certain opinions which he entertains.

3d. That a reward should be conferred on Moreshwur Furkey.

4th. That praise should be given to Soorajram, the present native agent, "for the rejection and exposure of the enormous bribe offered to him by Baba Nafra."

5th. That Nursoo Punt's offences, and the punishment they entailed, should be publicly proclaimed.

6th. That the sympathy of Government should be publicly expressed to Joetabhaee Setanee.

7th. That measures should be adopted to establish a new court for the trial and punishment of Government servants guilty of bribery and corruption.

8th. That if it be not advisable to establish such a court, a legislative enactment be obtained declaring certain offences to be felony, &c.

9th. That a legislative enactment should be obtained to amend Act 37 of 1850.

7. The probable efficacy of these proposed remedies for an admitted evil I will not now discuss, because this concluding section of Part No. II. of his report, which would by itself have been a sufficient reply from Lieutenant-colonel Outram to our circular of 15th May 1850, should, I conceive, be considered in connexion with the replies of our other officers on the same subject.

8. Part No. III. is composed of a recapitulation of facts connected with the betrayal of the proceedings of Government by certain persons employed in the Secretariate; the letter of the Chief Secretary dismissing Lieutenant-colonel Outram, and the reply, being therein cited at length, and commented on by the late Resident. As all these proceedings have been already reported,* I need not now lose time in referring to them.

9. The Appendices contain matter deemed by Colonel Outram necessary to set forth clearly all the cases included in the Khutput Report.

10. On the general tenor of that document, which is a tissue of charges against the several Governments of Bombay for nearly 20 years past, including that over which I have presided, Lieutenant-colonel Outram's present position, in regard both to his official superiors in this country, and to the Honourable Court, renders it necessary for me to make a few observations.

11. Lieutenant-colonel Outram has not only stated that the opinion that influence, acquired by corrupt means, is all-powerful at Bombay, is rife at Baroda, and indicated the measures by which he deems such an opinion may be most readily eradicated; but he has endeavoured to prove that the existence of such a belief is attributable in no slight degree† to "the proceedings of the Bombay Government itself, and the feebleness of the support it has rendered to its local officers engaged in uprooting corruption;" and to this end he has brought forward various decisions, which he deems illustrative of his argument, and which have been passed during the last 17 years, adverse to the opinion held by the subordinate local officers, and has pronounced such decisions to be not only wrong in themselves, but to have engendered the opinions we would now seek to destroy.

12. I have already said it is not my purpose to follow Colonel Outram through his attacks upon by-gone administrations, or his relation of events that occurred long prior to my arrival in India; I certainly do not agree with that officer in the conclusions he has come to as regards the consequences of the acts of my predecessors; but as those acts have been pronounced on by competent authority, it is quite unnecessary for me to canvass them here.

13. With

* *Vide* political despatches addressed to the Honourable the Court of Directors, under dates the 29 November (No. 89) 1851; 3 December (No. 92) 1851; 17 January (No. 4) 1852; 3 February (No. 12) 1852; 3 February (No. 15) 1852; 13 March (No. 33) 1852.

† See concluding section of Part No. II., para. 1.

13. With respect to the (asserted) errors which have occurred during the last four years, in connexion with Baroda affairs, I have already shown that, in every instance in which Colonel Outram complains of the decision arrived at (his own dismissal being among the cases brought forward), the facts have been submitted to the Honourable Court, and as I am content that the conduct of Government in each separate case should be judged of on the information already furnished, I shall only offer for consideration one or two general remarks on the mass of papers now transmitted, first observing that the statement I have made above in regard to every case urged by Lieutenant-colonel Outram on our attention, coupled with the manner in which the investigation into each has been conducted by us, is, I confidently trust, a sufficient reply to his accusation, that we have been remiss in affording him that support he had a right to expect, in the prosecution of inquiries instituted by him in some sort at the instigation of Government, and for a legitimate object.

14. I do not understand that Lieutenant-colonel Outram has ventured to impugn the integrity and honour of either the present Government or of any of the former Governments, whose proceedings he so freely censures; and if I am right in this respect, the weighty charges which, with so much parade and circumstance, he brings against one and all, reduce themselves simply to this, that the Bombay Government has, on sundry occasions, seen fit to be guided by the judgment of its members, founded on information furnished by its official servants at Baroda, in preference to being ruled by the advice of subordinates; or, in other words, that a difference of opinion has existed between Government and its agents, a difference which Colonel Outram deems to have been productive of injurious consequences.

15. Whether this ought to be regarded as a justification of the indecorous and insulting attack Lieutenant-colonel Outram thought proper to make on the Government, of which he was the representative, or whether his erroneous view of the duties which his official position devolved on him was not in itself at once a manifest proof of his unfitness for the post he filled, and a vindication of the course we have pursued, it is for the Honourable Court to determine.

16. Colonel Outram has referred, when alluding to the case of Joetabhaee, to the guarantees granted by this Government to certain subjects of the Guicowar. The origin, nature, and scope of these guarantees I will not here attempt to describe, further than to state that they were the price of the peaceful possession of some of the most fertile portions of Guzerat, and that the stipulations they contain should be scrupulously adhered to by us, but not so misinterpreted or strained as to infringe treaties we have entered into with the Gaekwar, by which we are equally bound, or to encroach on the diminished authority we have left him; if we do this, we shall not only break faith with that Prince, but we shall shortly find ourselves called on to perform impossibilities, and to exercise functions altogether unsuited to a Government. The case of Jumnaabae Setanee* is one illustration of this, for we having, in conformity with our understanding of the obligations entailed by our guarantee, re-established her as head of the banking house of Kooshalchund Ambydass, she found she could not recover a debt due to the firm, and appealed to us, through Colonel Outram, to aid her in doing so, and thus in effect to take the management of the firm on ourselves, which, conceiving such a measure would both overstep the spirit of our guarantee, and be a most unwise act in itself, we refused to do.

* Widow of Kes-sowdass Kooshalchund.

17. I think, however, that the contemplation of the inevitable result of a compliance with such a demand renders it clear that the intention of those who gave these guarantees was no more than to promise protection against notorious wrong and oppression on the part of the Prince towards certain of his subjects, and that the parties to the guarantees could never have meant to assure a native subject of the Gaekwar, living in the Gaekwar territory, and amenable to its laws, against the acts of another party precisely in the same condition (but having no guarantee) in their private dealings.

18. Colonel Outram has referred† to an interview which took place between us at the close of April 1851, when he mentioned to me that the Gaekwar had received no satisfaction for the disrespectful conduct his Highness had experienced from Nurbbaram, the sheristadar of Mr. Andrews, when the above native

† P. 4, sect 5, Part II.

officer was improperly sent to Baroda by that gentleman. My recollection of what occurred on that occasion is, that I told Lieutenant-colonel Outram that Mr. Andrews' dangerous illness had prevented my earlier disposing of the case, though I had read the papers; that I could not decide on the course to be followed at the moment, but that he might depend on it that any misconduct of the sheristedar towards his Highness should be seriously noticed, and every proper reparation made. Colonel Outram was aware that the Gaekwar's resident agent at Bombay was to visit me on the following day, and begged I would say the same thing to him, which I did in precisely the same terms, and the interpreting secretary informed me that the agent said his Highness would be gratified by what I had stated. I have noticed this reference of Colonel Outram's to the above interview simply because I think it might be concluded from his relation of the matter that I had already pronounced or determined on the degree of culpability attached to the sheristedar, and on the punishment to be awarded to him, points which I could not at the time have settled, and certainly did not mean to intimate that I had decided on. This discrepancy between our two accounts of the same conference is perhaps insignificant, but as, according to Colonel Outram, so much difference of opinion exists between us as to the interpretation to be given to words, I have thought it well to notice it.

19. I have but one further observation to make. I have regarded with the utmost dissatisfaction, not to use a stronger term, the disparaging insinuations against the character of a highly respected, honourable and distinguished gentleman, Mr. Reid, formerly my colleague, which are everywhere scattered not only throughout this Khutput Report, but through several other papers submitted to Government by Lieutenant-colonel Outram, during the past year, and now before the Court. No tangible charge is made; not a shadow of proof has been offered in support of the insinuations I have alluded to; and they have been in great part accidentally disproved by the evidence that was given on the late inquiry before the committee of secretaries, when it was made apparent that Craig was not even known personally to Mr. Reid.

20. I leave it to the Honourable the Court of Directors of the East India Company to decide whether one who has rendered such long, faithful and efficient services to them and to his country as that gentleman has done, should be made acquainted with every or any portion of Colonel Outram's recent official communications, in which he is in any manner alluded to, or whether all that has been hinted at should be deemed unworthy of notice, feeling sure that in such a case they will, after mature consideration, follow whichever course may be most judicious and most worthy of themselves, and of their formerly highly trusted and able servant.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

29 April 1852.

— No. 3. —

MINUTE by the Honourable Mr. *Warden*, dated the 5th May 1852.

As the Right honourable the President justly deems it unnecessary that he should vindicate the character of measures by the Bombay Government, prior to his accession to his present high position, so it would be unbecoming in me to speak of what was done by his Lordship's Government before I became a temporary member of it.

It is true that the report of Lieutenant-colonel Outram professes to be an answer to a circular requiring his opinion on the prevalence of "khutput," or what may be translated "backstairs agitation," in the disposal of official matters, and the best means of extirpating it; but he so interweaves this general question with measures on which I advisedly would refrain from comment, that it is difficult to separate the two. As, however, the general question which forms the subject of the circular is to be considered hereafter,* it is not necessary that I should touch on it at the present moment; when the proper time arrives I shall be prepared to record my sentiments at length on the great impediment to good government which this khutput presents.

I will

* Para. 7 of the minute of the President.

I will therefore only add one word on the last para. of the President's minute. Although his observation and that of my honourable colleagues is, in all probability, more accurate than mine, seeing that I have had to read up at once a mass of papers which came more gradually before them, I ought to say that, so far as I have observed, Colonel Outram, vehement in language though he be, would apparently draw the distinction, that it is the natives only who believe that which is disparaging to Mr. Reid; guarding himself against an opposite interpretation by, in one place, styling these charges as "the prostitution of Mr. Reid's name;" still it is a cause for deep regret that even this should have happened to Mr. Reid, after the close of a long and valued course of public service.

5 May 1852.

(signed) *J. Warden.*

— No. 4. —

FURTHER MINUTE by the Right honourable the Governor, without date, concurred in by the Honourable Mr. *Blane* and the Honourable Mr. *Bell*.

I AM much gratified to find that the Board will enjoy the advantage of the experience and ability of my honourable colleague, Mr. Warden, when the question of how the belief in the efficacy of khutput, which Mr. Warden terms a great impediment to good government, may best be eradicated, comes under our consideration.

I venture to think that the opinion of the utility of "backstairs agitation" is not peculiar to Bombay, but that it exists in equal force, not only in Madras and Bengal, but all over the world, though the manner in which it is indicated vary with climes and customs.

With regard to the observation made by my honourable colleague in his last para., Colonel Outram may indeed quote the words he has used in his charge against Nursoo Punt, as a proof that he meant to attribute to natives only any suspicion of the correctness of Mr. Reid's conduct; and he may ask why, as he never entertained any suspicion of Mr. Reid's purity of motive, he should be blamed for not attempting to prove that, in the existence of which he neither did nor could believe. But such a line of argument, if it were adopted, would not lead me to the same conclusion as Mr. Warden has arrived at. Because when Colonel Outram cites decisions of Government during the time Mr. Reid had a seat at the Council Board, as sufficient to account for, if not to justify, the belief which he says is prevalent at Baroda of the corruption of high officials, and even of the members of Government themselves; and when these observations are mixed up with alleged facts, directly affecting Mr. Reid, and calculated to engender suspicion of his conduct and motives, according to Colonel Outram's own account of them; it seems to me most difficult to believe that Colonel Outram does not participate in the suspicions of the honour of that gentleman, which he conceives the acts he has described to have been so specially calculated to create in the minds of the others, and under this impression I cannot but regard the passages I have referred to, not only as insinuations against Mr. Reid, but as insinuations calculated to wound deeply that gentleman's feelings, and I think that they will not only be deemed such by the vast majority of those who may read these papers, but as indicating Colonel Outram's agreement in opinion with the parties whose suspicions, as I have before said, he accounts for, even if he do not attempt to justify them.

(signed)

Falkland.
D. A. Blane.
A. Bell.

— No. 5. —

FURTHER MINUTE by the Honourable Mr. *Warden*, without Date.

I HAVE no further remarks to make.

(signed) *J. Warden.*

(True Copies.)

East India House,
29 June 1852.

T. L. Peacock,
Examiner of India Correspondence.
